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REPORT

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GERSHOM POWERS,

AGENT AND KEEPER

OF THE

STATE PRISON,

AT AUBURN.

MADE TO THE LEGISLATURE, JAN. 7, 1828.



ALBANY:

PRINTED BY CROSWELL AND VAN BENTHUYSEN.

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1828.

HV 69520
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STATE OF NEW-YORK,

In Assembly, Jan. 7, 1828.

Resolved, (if the senate concur herein,) That the papers accompanying the report of the agent and keeper of the state prison at Auburn, be printed in a pamphlet form, for the use of the members of the legislature ; that 750 copies be printed, in addition to the usual number, and that they be delivered to the following officers to be disposed of as they shall think useful, viz. 100 copies to the governor, 100 to the secretary of state, 100 to the commissioners appointed to superintend the erection of the state prison at Mount Pleasant, and the residue to the inspectors of the state prison at Auburn.

By order.

F. SEGER, *Clerk.*

IN SENATE, Jan. 7. 1828.

Resolved, That the senate do concur with the assembly in their said resolution.

By order.

JOHN F. BACON, *Clerk.*

REPORT.

To the Honorable the Legislature of the State of New-York.

The report of Gershom Powers, agent and keeper
of the state prison at Auburn,

RESPECTFULLY SHEWETH:

That said prison has, for some time past, attracted much public attention; and a solicitude to obtain information in relation to it, is rapidly increasing. Many distinguished individuals, from various parts of the United States, as well as from Europe, are almost daily calling to examine, personally, its management, and the peculiarities of its construction and discipline. They invariably appear highly gratified, and almost as uniformly solicit prison reports or pamphlets, from which they can learn, at leisure, and in detail, the whole concerns of an institution, which strikes them so favorably on a general examination. It has been a subject of regret, that the desired information could not be given in the form requested. Much of it was only to be found scattered through the journals of the legislature, and much, in regard to police and discipline, existed only in practice, and had never been reduced to writing. Such, indeed, must always be more or less the case, as experience may or may not suggest improvements; and also, because all the *minutiæ* of proceedings would be too voluminous.

These facts seemed to require, that the main principles and general practice of this institution should be presented in a pamphlet form, suitable for general circulation. Besides, such a compilation had become important as a manual, for the use of our own prison officers, and especially those who might be newly appointed.

In addition to this, the agent received a letter from Governor Clinton, in behalf of one of the states, requesting a full account of this institution. About the same time, Messrs. King and Wharton of Philadelphia, and Judge Shaler of Pittsburg, commissioners appointed by the legislature of Pennsylvania to revise the criminal code of that state, made a visit to this prison; and not being able, during that visit, to collect all the facts they desired, sent, after their return home, a series of interrogatories to the agent, of similar import, but more extensive than those of Governor Clinton.

Other letters, of like import, were received from gentlemen in different parts, and among them one from Ohio, and one from the Hon. Edward Livingston of Louisiana.

These considerations induced the undersigned last year to compile and publish, at his own expense, a pamphlet, embracing the above objects; the edition of one thousand of which is now exhausted, while the demands for information are greatly increasing.

The undersigned has revised and condensed that pamphlet, and added thereto many valuable facts, which another year's observation and experience have discovered; and the whole is now respectfully

submitted to the consideration and disposal of the honorable the legislature.

Should the legislature deem the work worthy of being printed, and in a pamphlet form, the undersigned can furnish a number of engravings, which will illustrate the description of this and the Philadelphia prison.

All which is respectfully submitted.

G. POWERS.

State Prison, Auburn, Jan. 1, 1828.



A GENERAL DESCRIPTION
OF THE
AUBURN PRISON.

This prison was commenced in 1816, and is constructed upon the plan of a hollow square, enclosed by a wall 2000 feet in extent, being 500 feet on each side. A ground view is exhibited by the accompanying plate, and is explained as follows :

The exterior line represents the wall, which encloses the whole prison ground and buildings.

a, is the eastern front gate.

A, the front yard, about 60 feet square.

The centre building, or keeper's dwelling, is directly in rear of, and of the same width, as the front yard, and extends back to the open space between the wings.

c, is the clerk's office, and r, an adjoining apartment.

e, is the keeper's and inspector's office, and s, an adjoining apartment.

n, is the main hall, passing through the centre, from the front door back to the keeper's hall.

m, is the keeper's hall.

ii, in rear of the dotted line, is an open space, between the keeper's hall and the rear of the building, and affords pass-ways from the main building into each of the wings.

The dotted line, in rear of the keeper's hall, is a strong wooden grating, from the floor to the story next above ; a door, passing through the centre of which, is always tended by one of the guard.

w, is the back stoop, which overlooks the whole interior yard.

The front part of the basement story of this building contains a kitchen, store-rooms and pantries, for the keeper's use. The rear part of this story is the wash-room for the convicts.

The story next above is the one represented in the plate, and has been already described.

The two remaining stories are occupied by the keeper's family, and afford convenient rooms, of various descriptions, for their use. From the windows of these two stories, there is a very pleasant prospect of the village and surrounding country.

This building is about 60 feet wide, and of about the same height, to the top of the battlements, and projects from the wings, in front, 25 feet.

The cost of this building was from 40 to 50 thousand dollars.

The front of the prison, including this building, is about 300 feet, and each wing extends back 240 feet.

B, is a fruit-yard and green, of about 100 feet by 90.

G, the garden.

C, the north front yard.

u, the guard-house; the lower story of which is used as a stable and engine house, and the upper, which is on a level with the top of the well, is occupied by the guard.

D, is the south front yard.

E, the north rear yard.

F, the south rear yard.

Y, the space between the wings, which is a grass-plat, with gravel walks, represented by the double dotted lines.

y, the interior yard, covered with gravel. Between this and the grass-plat, there is an offset of two or three feet, made of stone, surmounted by a wooden railing, except at the steps. Over the centre steps is hung the yard bell.

s. s, reservoirs of water, 8 feet deep. One is 15½ feet by 43, and the other, 18 feet in diameter. They communicate with each other.

x. x, the hall in front of the large cells in the south wing, which was first built and constructed on the old plan, and is not now used for the confinement of convicts.

z. z. z. z. z. z. z. z, the open area between the external wall of the north wing, and the breast-work of solitary cells, extending through the centre, in which the convicts are now confined at night.

1. The new shop, built the past season, in the north rear yard, and is occupied by the rough or barrel coopers. Its length, 236 feet.

2. The shop occupied by the fine coopers, or such as manufacture painted ware, such as pails, tubs, keelers, &c. &c.

3. 3. The shop occupied by the manufacturers of joiner's tools.

4. The shoe shop.

5. Tailor's shop.

6. Weaver's shop.

o. Dye house.

v. The vault, which is thoroughly cleansed at any time, by opening the gates of the reservoirs. By this process, all the filth is swept through a grated passage, beneath the external wall, into the creek, which runs at the foot of it.

7. The blacksmith's and machine shop.

8. Turner's and chairmaker's shop.

In the two last mentioned shops, water power is used.

9 and 10. Shops to be built the ensuing season.

It will be observed, that in the plate, the external wall in the rear of all the shops is denoted by a *double line*. The space between these two lines is an avenue in rear of all the shops, which serves as a pass-way. This pass-way is made sufficiently light by numerous small orifices, cut in the partition; and is designed to enable the keepers to inspect the con-

victs in the shops without their knowledge, and also for visitors to pass through without going into the shops. Every thing in the shops can be distinctly seen through the orifices, which are mostly covered with glass, while the convicts are not aware that any one is looking at them, and, of course, have not their attention called off from their work, nor their curiosity excited, as will, necessarily, be more or less the case, where visitors are taken through the shops. This improvement, which is esteemed a very valuable one, has been introduced during the past year.

The small *dotted arches*, in different parts of the plate, point out the large gates, which close the pass-ways through the walls in various places.

The shops are well lighted by windows in the sides. There is also a jog in about the centre of the roof for a single tier of lights, but flat sky-lights are also necessary in most of the shops. They are built of brick; and as a security against the progress of fire, there is a brick partition wall between them, extending above the roofs.

These shops form a connected range of about 1150 feet; and when those which are contemplated to be built the next season shall be completed, the whole extent of shops will be very near 1600 feet.

The outer walls, against which the shops are built, are 35 feet high on the inside, and the other walls about 20. They are four feet thick, and the walls of the prison about three. But no adequate description of this grand and expensive pile of buildings and walls can be given, without the aid of drawings.

The expense of the whole, without including the labor of convicts employed, after preparation was made to receive them, was above \$300,000; only \$50,000 of which was expended on the north front and wing, (which part only is now used for the confinement of convicts) all the shops, guard and engine houses, and various other improvements,

Facility of Inspection.

After separation by solitary cells, *facility of inspection* is almost every thing ; and much of the success which has attended and may hereafter attend this establishment, is to be attributed to this cause.

The whole interior yard and shops can be surveyed at a glance, and there are few by-ways to screen the convicts from the view of the keepers. It is important in prison government, as in all others, to remove from the subjects of it, as far as practicable, all temptations to the commission of offences. It is an offence for one convict to speak to another ; but he certainly will do it, when he thinks it can be done without detection ; and therefore, all reasonable means should be adopted to ensure a ready and certain discovery, as this will go very far to prevent the first attempts at mischief.

The correctness of these remarks is abundantly illustrated by the effects of our inspection avenues, which renders it unsafe for a convict, while in the shops, ever to transgress the rules. They know that officers are constantly patrolling these avenues, unseen and unheard by them, and that these officers can have a perfect view of all their motions : Hence the amount of punishment has greatly decreased,—a striking instance of which has occurred in one of the shops containing 70 convicts, where, for three months, not one of them was punished. But some part of this diminution of punishment is, doubtless, to be ascribed to the circumstance, that visitors are now conducted through this avenue, instead of through the shops, as formerly, which presented a strong temptation to look off from their work to gaze at them ; and if they discovered a friend or acquaintance, to speak of it to those of their fellows who might be near them.

Constant employment is also of the greatest importance to discipline. Fifty convicts can be more easily governed at work, than ten in idleness ; and

therefore, mischievous indeed must that custom be, which allows *stint work* to convicts, with leisure time after it is done.

General government of the Prison.

This prison is governed by a board of five inspectors, residing in the village, who are appointed every two years by the governor and senate. They have no compensation, and are forbidden, by law, to make any contracts for the purchase or sale of any articles with the agent of the prison. They appoint the agent and keeper, deputy keeper, and all subordinate officers, who are removable at their pleasure.

They are authorised and required, by several acts of the legislature, to make and establish such rules and regulations, from time to time, for the government of the prison, as they may deem necessary, and which the officers are bound to enforce and observe, all of whom are required to take an oath prescribed by law.

Under these regulations, (the more minute details of which, the experience of the officers has, from time to time, chiefly suggested to the inspectors) those officers discharge their various functions.

The inspectors are required, by law, to make an annual report to the legislature, of the progress and condition of the institution, and all its various concerns, and to make such suggestions as to the amendment of criminal laws as may occur to them; and are also required frequently to visit, personally, and inspect the discipline and management of the prison.

Duties and powers of the Agent and Keeper.

The law directs, that at the New-York prison, there shall be one agent and one principal keeper.

It is made the duty of the agent to make all contracts, purchases and sales, and to manage all the

fiscal concerns and operations of the prison, and in which he is required to keep his office.

It is made the duty of the keeper to superintend and direct the subordinate keepers and guard, in all their various duties ; manage and be responsible for the police of the prison, and the safe keeping, and regular employment of the convicts ; and he is required by law to reside in the prison. These officers are allowed each a salary of \$1250.

At this prison, the law requires that the duties of both those officers shall be discharged by a single individual, who shall be denominated agent and keeper. The duties of this officer are, therefore, as various as they are complicated and responsible ; and he is required to give security for the faithful performance of his duties, as agent, to the amount of twenty-five thousand dollars.

The nature and extent of his duties will, in some measure, appear from the duties of all the subordinate officers, for whose acts and conduct the agent and keeper is responsible. The general duties and powers of the agent, as such, appear from the following section of an act of the legislature :

“ Be it enacted, that all the contracts and dealings on account of the said institution, shall be transacted by and in the name of the agent of the state prison ; and by that name the present agent, and his successors in office, shall be capable in law of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all courts and places, and all actions and suits, complaints, matters and causes concerning the state prison : And by that name the agent for the time being shall be, and is hereby authorised and empowered to sue for, prosecute, recover, and receive of and from all persons indebted to any former agent or inspectors of the state prison, or to the people of this state on account thereof, such sums of money as shall be due or become due of and from any person

or persons ; and the agent is also authorised to refer disputes to arbitration."

The same act requires, that on the application of any prisoner to the agent requesting him to take charge of his property, the agent is to collect and receive, and sue for any goods, chattels, or monies due, or belonging to such prisoner, and to keep a correct account thereof, and to pay the amount to said prisoner when released, or his legal representatives ; and if such prisoner should not be released, and if no legal representative should demand such property, then the same shall be applied to the use of the state.

The agent is required by law to close his accounts annually on the thirty-first day of October, and render them to the comptroller of the state, on or before the first day of December following.

The practice adopted and pursued by the present agent is, to settle and pay all accounts due from him to the officers, and all others with whom he has dealings, the first day of every month ; and immediately thereafter transmit, by mail, to the comptroller, the vouchers for all the expenditures of the month preceding, with an abstract thereof, duly examined and certified to be correct, by the board of inspectors, and sworn to by the agent and clerk, as directed by law ; but the agent does not render to the comptroller a detailed account of monies received by him, until the annual settlement. All the money received by the agent, personally, he deposits in the bank, and all he pays out is paid by checks from a bank check book, in the margin of which he states the name, amount, date, and for what each check is given, besides taking necessary vouchers, and making entries thereof in the proper books of the office, the same as if no entries were made in the said check book.

These remarks apply to all monies except such as are received from visitors, and some other trifling daily receipts, which, from necessity and convenience, the clerk receives, pays out and accounts

therefor to the agent daily, as mentioned, in speaking of his duties.

By a late law, the agent is directed, on or before the first Tuesday of February in each year, to make a report to the secretary of state, of the names of convicts pardoned and discharged the preceding year ; the crimes for which they are convicted ; the terms of time for which they are severally sentenced ; the counties in which they are tried ; ages and description of their persons ; and in cases of pardon, the time unexpired of the term for which they were respectively sentenced ; when such pardons were granted, and the conditions, if any, upon which they were granted ; and by the same law, it is made the duty of the secretary to transmit copies thereof to all the county clerks in the state. The law prohibits the agent from being concerned in contracts or dealings with the prison for his private benefit.

The agent and keeper is not to allow convicts to receive any letters, or intelligence from or concerning their friends, or any information on any subject out of the prison ; nor to write letters themselves ; nor suffer any relative or friend of a convict to speak to him, except in some extraordinary case, where the condition of his property or family imperiously requires it, and then only in the presence of the agent or deputy keeper ; but he is to furnish information to the friends of the convicts, on personal application, or by letter. He is required, by a resolution of the board of inspectors, to receive 25 cents from each spectator who visits the prison.

Duty of the Deputy Keeper.

The deputy keeper is an assistant to the agent and keeper ; has a general and constant superintending care over all but the pecuniary affairs of the prison, especially its police and discipline ; and is responsible to the agent and keeper, that his orders,

and all the internal rules and regulations, shall be promptly and strictly observed ; and to that end, he must always be present at the opening and closing of the prison—in the chapel during divine service—in the mess-room while the convicts are eating ; and also at all other prison hours, except an hour each for his own breakfast and dinner.

He is to be constantly moving about in the interior of the prison, visiting irregularly, and without notice, the hospital, kitchen, shops, yards, and all departments of the prison. He sees that the assistant keepers are vigilant and attentive to their duty ; that they keep their men diligent and in order, and that none are chastised for disobedience with unreasonable severity.

He attends to the convict's clothing, and is responsible that it is properly changed, and in order.

He receives reports from the assistant keepers, of the offences of convicts, and reports the same to the agent and keeper.

He goes frequently into the lodging department, and to the hospital during the evening, and occasionally in the night, to see that all is right, and that the assistant keepers and guards, on night duty, are vigilant and faithful.

He attends, personally, to discharging every convict, whether by expiration of sentence or pardon, and sees that his clothes are in order for that purpose. He has the more immediate direction and control of all the assistant keepers and guard ; gives them such instructions, advice and admonition as become necessary ; and informs the agent and keeper of any neglect of duty, or impropriety of conduct, and, in his absence, the deputy has the full powers of the keeper.

Duty of the Clerk.

The clerk must be in his office, at the prison, from the time of opening until closing it, except an hour

each for breakfast and dinner, and generally to perform all such writing as the inspectors and agent may require. He makes out visiting tickets, and receives the money from visitors, and accounts every night to the agent for the same, and such other monies as he has received during the day.

It is also his duty, (as well as the agent's) to see that the accounts are properly kept in the different shops for labor done by the convicts; and at the close of each month, or oftener, if required by the agent, to copy them into the regular office books, which must at all times be posted, and ready for examination. He must examine and copy into the books the items of all bills of articles, purchased by the agent for the prison. At the end of each month, he must examine, arrange, and number the vouchers for that month, make out two abstracts of the same, one for the comptroller, and one for the office; and after the vouchers are audited by the comptroller, enter the same in detail in the books, so that from year to year all the items of expenditure may appear. He copies pardons, and should be present to make entries and necessary papers, whenever convicts are received or discharged; and keeps the books, in which are recorded their names, ages, crimes, sentences, where tried and by whom sentenced, with a description of their persons and places of nativity. It is his duty to make out all the writings and returns that are necessary in making the annual settlement between the agent and the comptroller, and also the details for the inspector's annual report to the legislature.

He records all appointments and removals from office, and the official transactions of the board of inspectors; and attends strictly to pecuniary concerns in the absence of the agent.

He makes out a pay roll, and, under the direction of the agent, makes a settlement with all the prison officers monthly, and also with contractors, and others, who have dealings with the agent.

Duties of the Physician.

The duties of the physician are mentioned in remarks upon the management of the hospital and the sick.

He must attend personally at the prison, at a particular hour every morning ; repeat his visits through the day, and at all times when the condition of the sick requires it ; and when sent for, is to come immediately to the prison, to the exclusion of all other professional business or engagements.

He is also required, by law, to keep a register of all deceased convicts ; stating their names, ages, places of birth, time of death, disease, and all other circumstances which he may esteem necessary ; which register shall always remain at the prison, and be open to inspection.

Duties of Assistant Keepers.

The arduous duties of these officers principally appear in describing the general police and routine of prison regulations ; but there are some remarks proper to be made, and some general rules to be laid down, under this head.

Assistant keepers, when on duty, are to govern themselves in strict conformity to the rules of the institution ; and at all times, when in the keeper's hall, to consider themselves subject to the rules of the prison ; and, therefore, at such times, to refrain from singing, whistling, scuffling, loud or immoderate laughter, provoking witticisms or sarcasms on each other ; and it is strictly forbidden for one assistant keeper to treat another with any harsh or ungentlemanly epithet, in presence of convicts.

No assistant keeper shall absent himself from the prison during business hours, without consent of the keeper or deputy keeper, or leave his station in any part of the prison, unless upon urgent and necessary business ; and if he shall at any time obtain leave of absence from the keeper, he shall, prior to leaving

the prison, acquaint the deputy keeper with the same.

No assistant keeper shall send a convict to the hospital, or give medicine, unless in extraordinary cases, without orders from the keeper, deputy keeper or physician.

No assistant keeper shall say any thing in respect to the police of the prison in the presence of convicts, unless it be in the way of directing them in their duty, or admonition for delinquences ; neither shall he hold common-place conversation with convicts, or allow them to speak to him on any subject, except on necessary business.

If an assistant keeper shall at any time punish a convict for misconduct, he shall, in a reasonable time thereafter, make a formal report of the same, in writing, to the keeper or deputy keeper, stating the convict's name, the nature of the offence, and the amount of punishment inflicted on the delinquent.

Each assistant keeper must keep a list of his men's names ; and against each man's name, he must set the number of the cell occupied by him, and must instruct them in all the rules of the prison, with which it is necessary they should be acquainted.

No assistant keeper shall suffer any person belonging to the institution, or otherwise, to sell, or borrow and carry away, any thing belonging to the prison, without consent of the keeper, or deputy, in his absence.

Assistant keepers are to refrain from all conversation with each other, and with contractors when on duty, except such as may be absolutely necessary in reference to such duty ; and also, while on duty, to refrain from reading or writing, and to avoid taking into the shops, or any apartment of the prison where convicts are employed, paper, letters, newspapers, or any books, except such as are allowed the convicts by law.

No spirituous liquors, strong beer or ale, are ever to be used by any officer or guard in or about the prison ; nor is the practice now permitted for an officer, when he is first appointed, or resigns, to invite the other officers together for the purpose of drinking, or *treating*, as it is called.

All the assistant keepers are required to attend divine service in the prison on the Sabbath, except one in the north wing, and one in the kitchen.

A uniform gravity and dignity of deportment are always to be observed by the officers in presence of the convicts, calculated to inspire them with respect and confidence, and not to indulge, in the least degree, in levity, passion, or petulance.

And in their intercourse among themselves, the officers are, at all times, to treat each other with that mutual respect and kindness that become gentlemen and friends, and to cultivate an ardent zeal to promote the best interests and advance the reputation of the institution, in the credit of which they must, of course, be common sharers. Thus they avoid collision, jealousies, envy, separate and party views and interests, and combine their united talents and exertions, for the promotion of the public good, and the advancement of their own reputation.

The keepers are to punish convicts for violations of duty, by stripes, which are required to be inflicted with a raw-hide whip, and applied to the back in such a manner as not to expose the head, face, eyes, or in any way to put the convict's health or limbs in danger ; and the use of any stick, or cane, or any other weapon, or of the fist or feet, is strictly forbidden, except in cases of self-defence. As this is a high and delicate trust, the assistant keepers are often admonished to exercise it with humanity and discretion, without passion, and in such a temper of mind and feeling, as will convince the offender, that the chastisement is given solely for his good, and as an example to others ; and that it is a most painful duty for the officer to perform.

In aggravated cases, a cat, made of six strans of small twine, is applied to the bare back, under the direction of the keeper or deputy.

These rules and regulations are based upon the principle, that the officers *legally* stand in the same relation to the convicts, as the master to his apprentice, and the schoolmaster to his scholar ; and that the officer having the immediate charge of the conduct and labor of the convicts, may lawfully exercise the same means of coercing the observance of any of the known duties of the convicts, and for preventing their mischievous and riotous practices, as the master or schoolmaster may exercise in coercing the observance of duty in the apprentice or scholar.

And it may well be added, as an undoubted truth, that this mode of punishment occasions much less personal suffering to the convicts, as well as loss of time, than any other which could be devised. So, certainly and instantaneously does correction follow offences, that they rarely occur ; and hence, there is no loss of time, and but little amount of suffering. It is better, as well as easier, to prevent the commission of crimes, than to redress them by subsequent punishment ; and this capital principle should be adhered to in all governments.

Number and duties of the Guard.

There are ten of the guard, including the serjeant, who commands them, who are all required during prison hours, to be in the guard-house, except those on duty. Besides the duty performed by them, as mentioned elsewhere, one must be constantly placed as a sentinel on the wall, so as to overlook the north yards ; one on the opposite side of the prison, to overlook the south yards, and are to be relieved every hour. They also go to the stores in the village, and to other places, on errands ; and, with the prison horse and cart, go after hospital stores, shop materials, and whatever else may be necessary.

They are required also, at all times, to keep their arms in order. They are to allow no citizen to go on the wall, or into the guard-house, without special permission.

One of the guard is sometimes employed in the north yard, instead of an assistant keeper.

Duties of Convicts.

The duty of convicts in this prison, is to obey orders, and labor diligently in silence. They must approach the officers of the institution with deference; and when addressing them, must bestow on them their usual civic titles, and make use of none but the most respectful language.

They are not to speak to each other, on any pretence, except by special direction of a keeper; may not sing, dance, whistle, run, jump, or do any thing which will have the *least tendency* to disturb or alarm the prison. Their every movement and whole demeanor are to be in strict accordance to the most perfect order, and the situation in which they are placed. They are not to leave their places without permission from a proper officer, and are, at all times, to keep their caps off, except when in the yards, or laboring in the blacksmith's shop. They are never to speak to any person who does not belong to the prison; are not to chew tobacco, or have it in possession; shall not look off from their work to see spectators, or gaze at them when idle. They are not to speak to their officers on ordinary topics; and when it becomes necessary to address them in relation to their business or their wants, they are to make their business known in few words, and in a respectful manner.

No convict is wilfully or negligently to injure his work, tools, wearing apparel, or bedding; nor is he to make the articles carelessly or badly on which he is at work, when he has ability to make them well. For the wilful or repeated neglect or violation of

these or other rules, chastisement is inflicted by the keepers.

It is easy to perceive, that the most unceasing vigilance and untiring zeal, on the part of the officers, are requisite to enforce these regulations, and that they occasion a vast variety of particular rules and practices to carry into effect these general objects, which can be suggested only by experience. A convict's word is never taken, even against another convict, and much less against an officer.

Shop Regulations.

There are in the corners of the shops, one or more small necessities, prepared with suitable tubs, which are taken by a convict selected for that business, emptied into a vault, and cleansed so often as not to become in the least offensive.

But one convict enters the necessary at a time ; and he must take with him a stick, which at other times hangs in a conspicuous place, that it can be known by looking there whether any one is in the necessary. There is the same regulation in the north yard, and also a necessary outside for those in the kitchen and wash-room, and under the same management.

The large vault is kept locked, except in the morning, and the key hung up at the door of the blacksmith's shop near by, and one only can take it at a time to empty tubs, so as to prevent conversation, unseen, in the vault.

There must be at least one assistant keeper in each mechanic department, who is master of the business pursued in it, who instructs new convicts, and sees that the old make first-rate work. He also sometimes places a faithful and experienced convict by the side of a raw hand, to show him, and places them where he can keep his eye on them, to prevent communication, except barely what is necessary for instruction ; and though the convicts may thus

occasionally exchange a word they ought not, yet can carry on no connected discourse ; the instruction being chiefly given by showing, and that under the jealous and watchful eye of the keeper.

The assistant keeper has the superintendence of all the work in the shop, but has no more powers than the other assistant keepers, not mechanics, who assist in governing the shops.

He keeps a list of all the convicts in his shop on his desk ; puts down, opposite the name of each, the kind and amount of work done by him, and requires him to do all he can reasonably perform, according to his ability, without stint work.

But the assistant keeper will soon discover what the convict ought to perform, and will compel him to do it ; and when well, he is not suffered to be idle a single moment, or have any particular favor or allowance for any thing that might be called over-work.

This assistant keeper examines and directs the management of all raw materials, and prevents their waste ; critically inspects all work, and sends it to the proper places of deposit, with a bill thereof for the contractors, every day ; and also keeps account of all articles, with the prices, and enters them in a book, which are afterwards posted by the clerk into the regular prison book of the agent in the office.

In all the shops, the convicts are arranged, as far as possible, in such a way as not to face each other, and have their work entirely separate.

There are convicts selected for each shop as waiters or tenders, to distribute materials, remove rubbish, hand about or grind tools, take out ware, sweep the shops, hand drink, &c. under the eye and direction of the assistant keeper, chiefly by signs, so that the laborers need not leave their work.

In this way, a shop, and business of an hundred men, are so managed, that hours together will frequently pass without a word being spoken.

The shops are often scrubbed, and occasionally whitewashed. All the convicts are shaved once a

week by convict barbers, on Friday and Saturday, and their hair kept short. They are also compelled to wash their feet often ; and, in the warm season, frequently to bathe in one of the reservoirs of water in the yard.

Receiving new Convicts.

The convicts who are received, before being allowed to go to work, or into the cells, have their irons taken off ; are then shaved, their hair cut, their bodies cleansed with warm water and soap, and thoroughly purified from the filth and vermin, which they too often bring with them from county jails. They are then decently clad in the clean striped dress of the prison, and a descriptive list taken and entered by the clerk in a book for that purpose.

They are then carefully instructed by the keeper or deputy in the few plain and simple rules, by which it is necessary their conduct should be governed, and then put to work at such trade as they may have, provided it be practicable ; if not, or if they have no trade, the keeper selects such as appears best adapted to their apparent constitutions and activity.

Convicts arriving in the night, are always placed in a particular large dark room until morning. (It is proper here to state, and expose to public reprobation, the practice of some sheriffs and deputies, of allowing ardent spirits to convicts on their way to the prison, and frequently to such a degree that they come in grossly intoxicated.)

Opening the Prison in the Morning, and Proceedings of the Day.

Hours of labor vary according to the season. In long days, they commence at half past 5 o'clock in the morning, and close at six at night ; and in short days, the hours are so fixed, as to embrace all the day light.

Fifteen minutes before opening the prison, a bell is rung by the guard at the front gate, for the officers and guard to assemble ; and soon after, a small bell in the north wing, where the convicts lodge, by an officer on night duty, for the convicts to rise, dress, and prepare to come out. At the end of fifteen minutes, the bell at the front gate again rings, when the assistant keepers take their keys from the key room, and proceed to their respective galleries, and unlock the convicts, who march out with their night tubs, water cans, and mush kids ; the two last of which they leave in the wash-room, which they pass through, and then proceed through the yard, empty their tubs in the vault, rinse them at the pumps, partly fill them with water to prevent their falling to pieces, and from becoming offensive, and place them in rows by the sides of the shops, which they then enter and commence labor ; but, before breakfast, wash their faces and hands in vessels prepared in their shops for that purpose.

There has recently been an additional door made through the wall, between the north wing and wash-room, and also additional facilities for emptying and rinsing their tubs, by which means the convicts are taken from their cells to their labor in the morning, and back again at night, in one half the time that was formerly occupied for these purposes.

Breakfast.

At from seven to eight in the morning, according to the season, at large bell, hung in the centre of the interior yard, is rung as a signal for breakfast ; when the convicts form again in a line in the shops, and are marched by their respective assistant keepers through the yard, and enter the large dining hall, or mess-room, at two different doors, face around by their plates, and stand 'till all have got their places, when the steward keeper rings a small bell, and they

instantly sit down to their meals, which have been equally divided by the cooks.

But as some eat more, and some less, convict waiters, provided with large vessels, pass along constantly between the tables, taking food from those who raise their right hand, in token that they have it to spare, and giving to those who raise their left hand, to signify they want more; thus averaging their food to their various appetites, without allowing them to exchange food with each other, which would make confusion. The tables are narrow, and the convicts, sitting on one side only, are placed face to back, and never face to face, so as to avoid exchanging looks or signs.

When the steward perceives the convicts have done eating, or have had ample time for it, he rings the bell, when all rise instantly, and march to their shops to labor; those going out first who came in last. All this occupies from 20 to 30 minutes. The places of the convicts at table are so arranged, that if any one is absent from accident or design, he is instantly missed.

Of the Sick.

Sick convicts report themselves as such to their keeper, who puts their names on a paper, and sends it to the keeper's hall; when, at 9 o'clock in the morning, the physician comes. He sends to the shops for the sick, and they all are taken at once by an assistant keeper to the hospital, where they are examined; and such as require it are retained, and the others sent back to their shops, with written directions to the assistant keepers, for full or light labor, as their cases may require.

Clothes Time.

From 10 o'clock, A. M. 'till half past ten, is called "clothes time." When convicts clothes or

shoes need changing, they are required to report themselves to the assistant keeper, who sends them up to the clothes room at clothes time, where the deputy keeper attends and gives them clean and whole clothes, as they need, except shirts, which they change on Sunday mornings at their cells, after having been distributed under the direction of the assistant keepers on Sunday duty.

Blacksmiths come to the clothes room and exchange clothes every Saturday night, just before the prison closes. It has been lately arranged, that the convicts come up but from one shop each morning, as being attended with less confusion, and danger of communication between them, than when they were more or less sent from all the shops every morning, as formerly.

Dinner.

The convicts always dine at 12 o'clock, and the proceedings are precisely as at breakfast, except that a blessing is implored at dinner by the chaplain, previously to their being seated.

Closing the Prison at night, and night duty.

Just before quitting labor, the fires are secured ; the convicts wash their faces and hands, and then, at the ringing of the yard bell, the convicts form in a line in their proper places, according to the numbers of their cells, march out of their shops to their rows of tubs ; and at command, take them up, step forward, empty the water into the drain, advance to the pumps, take a very little fresh water again into their tubs, hang the bale on their left arm, and proceed in reversed order from that of coming out in the morning, (those going in first who came out last) to the wash-room adjoining the kitchen, where their mush and molasses in a kid, and water to drink in a can, have been placed together in rows by the cooks, and

without breaking their step the convicts stoop and take up their supper and drink, and march to their respective galleries, enter their own cells as they arrive at their numbers, and pull their doors partly to. Each gallery is occupied by one company, which is marched and locked up by one assistant keeper, with two keys differing from each other, and all the rest.

The keys having been taken from the key-room by the kitchen steward, and placed in the wash-room window, are taken by the assistant keepers as they pass through with their companies ; and when they arrive at their galleries, commence locking their cells at No. 1, and as they enter the keys, the convicts suddenly quite shut the doors, which proves that they are in their cells, without the delay of examining.

When the assistant keeper has gone through his gallery, he returns directly back to No. 1, trying all the locks, to guard against mistakes. The assistant keepers then all repair to the keeper's hall ; and if the convicts are all in their cells, or hospital, return the keys to the key-room. But if not, which they ascertain by the hospital report, and the list of convicts of each gallery kept by the assistant keepers, with the No. of the cells annexed to each, their keys are retained 'till the convict is found ; but this has rarely happened.

When the keys are secured in the key-room, the bell is rung at the front gate, to signify that all is right ; when the deputy keeper, assistant keepers, and guard, may all leave the prison, except two assistant keepers and one guard, who remain one hour and a quarter ; the former, watching the solitary wing, and the latter tend, one of them to the front gate and inner doors, and the other to patrol the shops, to see that every thing is secure, and especially the fires. Two other assistant keepers, and two other guard, then arrive, to perform duty through the night.

One of the guard goes immediately into the yards and shops, and spends one hour examining carefully to find if any fire is left ; and as often as once an hour goes in to the interior yard for that purpose through the night. The night station for the guard is in the keeper's hall, adjacent to and within common speaking distance from the grate of the door leading into the lodging department, or north wing. They take turns in sleeping and watching.

The two assistant keepers in the north wing do the same, so that one assistant keeper and one guard are always awake ; to be assured of which, they are required to report to each other every thirty minutes, on pain of removal. As an additional security, the keeper and deputy frequently go silently in at different hours of the night.

Assistant keepers are enjoined to keep constantly moving around the galleries, and to the hospital, (which is in the attic story of the north wing,) having socks on their feet, and walking so noiselessly, that each convict does not know but that he is at the very door of his cell, ready to discover and report the next morning for punishment, the slightest breach of silence or order. Thus the whole wing, containing between five and six hundred convicts, is almost as still as the house of death. If any one is taken violently sick, he may rap on his grate, on which the assistant keeper will go to him, send the guard for the keeper ; and if he thinks it necessary, the convict is taken to the hospital, and the prison physician sent for.

This wing, in the proper season, is well warmed by stoves, in the area around the cells, which are thus sufficiently heated.

The convicts are required, at an early hour, by the ringing of the bell, to take off their clothes, and go to bed upon their canvass hammocks, with sufficient blankets ; but when well, are not permitted to lie down before the bell rings, nor to get up again, but from necessity, 'till the bell rings in the morning.

The area around the cells, the keeper's hall, and the agent's dwelling, are kept well lighted by lamps through the night. After the convicts are rung down at night, all the locks are again tried by the assistant keepers on duty.

At four o'clock in the morning, the principal cook is let out from his cell, builds fires in the kitchen, and commences preparation for breakfast. He can now be watched through a grate lately made in the door between the wash-room and north wing, by the assistant keeper there ; and required, by the ringing a small bell suspended to a wire in the kitchen, and extending into the north wing, whenever out of sight, to show himself.

The several assistant keepers, who have no companies of convicts to lock and unlock, place themselves, while that is doing, in the angles and different places about the wing, to aid in observing and preventing any talk or irregularity among the convicts, as they march along the galleries ; and are some of them more or less, occasionally, out of the view of the officer who locks and unlocks them.

The key of the key-room is always, day and night, in the hands of some one in the keeper's hall, who is on duty. A duty-roster of the officers and guard is kept hanging in the keeper's hall, and kept by the officer on duty there, shewing the order and time of their performing night, hall, and Sunday duty.

Sunday Regulations.

On Sunday morning, the officers and guard are all present, and the prison is opened at the same time and in the same manner as on other days ; and the convicts, after emptying and rinsing their night tubs, march back to their cells, and their doors are latched ; when one of them is let out from each gallery, to distribute the clean shirts through the door grates, (which have been put up in as many bundles as there are galleries of convicts) and with an

assistant keeper going always by his side. The names of those reported sick, on Sunday morning, are put on paper by the assistant keeper, and hung on a wire by the door, which the physician takes, and visits them at their cells.

Assistant keepers must see that the convicts are provided with bibles, combs, and glasses to read, when necessary, and the scholars with spelling-books.

Sunday Breakfast.

The officers remain until the bell rings for breakfast, when the convicts are let out and marched through the wash-room and kitchen, to the mess-room; and when they return from breakfast through the wash-room, take their cans of fresh drinking water, which have been filled and placed there by the cooks.

The convicts are then locked up in the usual manner, the keys returned to the key-room, and the officers disperse, except two assistant keepers, who both watch the cells and hospital through the day, (after having been relieved by two others an hour for breakfast) in the same manner as is done by one at a time at night, except that they allow no well convicts to lie down till the bell rings at evening.

One guard also remains all day in the keeper's hall, to tend the front gate and inner doors, (he having also been relieved for breakfast) but neither he, nor the assistant keepers on duty, are relieved to eat again until night.

Sunday School.

The Sunday school embraces nearly one fourth of all the convicts in prison. These remain in their seats at the breakfast table on Sunday morning, until the rest of the convicts are marched out to their cells, and then are taken by two assistant keepers to

the chapel, where they are taught by about 20 young gentlemen from the Theological Seminary, who generously volunteer their services.

They are also superintended by the said two assistant keepers, and remain in school until divine service. The resident chaplain has the general superintendence of the Sabbath school, which is also visited by the agent and deputy keeper.

The teachers are strictly prohibited from holding any conversation with the convicts, except what relates strictly to their studies, avoiding all remarks in their hearing upon any other subject whatever, and observing in all their conduct, a grave and serious deportment. Neither are they to countenance in the convicts any thing that savors of levity, or an attempt at improper familiarity. The assistant keepers are required to enforce these and all other salutary school regulations, and also to report to the agent any thing which may justly be considered a violation of them. There is no Sabbath school in the afternoon during the winter season.

Divine Service.

At precisely 10 o'clock, the officers and guard are all assembled again, and all the convicts are unlocked in the usual way, and marched through the wash-room, leaving their water cans again, and proceed on in the usual silence and order into the south wing and upper west story, prepared for a chapel, furnished with narrow seats with backs, so that they sit comfortably, facing the minister, without looking in each other's faces. A sermon is delivered, and the usual divine service performed, except singing. Small platforms are erected at the sides and ends of the chapel, where the assistant keepers sit, so elevated, as perfectly to overlook every convict.

The guard remain outside of the prison, and the assistant keeper who oversees the kitchen, remains there with the cooks, to prepare and divide the ra-

tions of meat, bread, and vegetables, which are to supply them until the next morning. This is put in their mush kids, their water cans filled again with fresh water, and all arranged as usual in the wash-room.

When divine service has closed, and the chaplain retired, the company which came in last, at the word of their keeper, rise and march out, and the other keepers, with their men, following in the same manner; and as they pass again through the wash-room, take their kids of rations and cans of water to their cells, are locked up, and the assistant keepers and guard, (except those on duty) disperse for the remainder of the day.

If any convict has used or spilt his can of water, and needs more, he is supplied by the assistant keepers on duty, through the door grate, by the aid of a tunnel.

Of Assistant Keeper's reliefs.

There are only 18 assistant keepers at present, who are allowed one hour for breakfast, and one for dinner; and as twelve, at least, are indispensably necessary at all prison hours, they can only be relieved by eating at different times of the day; for instance, some dine at eleven, some at twelve, and others at one o'clock.

Waiting on visitors, scrubbing, whitewashing, making repairs, and other jobs about the prison, constantly require the superintendence of such assistant keepers as may not be regularly necessary in the established departments. The same remarks as to relief will apply to the guard.

Visitors.

The guard at the front gate admits, at the proper hours, all decent persons who request it; and if they wish to visit the prison, are directed to the clerk's

office, where they are furnished with tickets, at 25 cents each person, from a ticket book similar to a bank check book ; in the margin of which, are entered the date, number and amount of tickets. The guard at the inner door in the keeper's hall allows no one to pass into the prison, without the permission of the keeper or deputy, unless there is an assistant keeper to go with him ; and he has a ticket, which the guard slips on a wire, through a hole into a close box, which is opened every month, and the tickets compared with the margin of the ticket book, to guard against fraud or mistake.

Instead of being conducted through the shops among the convicts, as formerly, spectators are now taken through the inspection avenues in the rear, and which surround all the shops, where they can have a full view of the convicts, without the convicts being able to see the spectators, who are to refrain from levity, noise, and loud conversation, and are not to speak the names of the convicts they may see in the shops, or on any subject so loud as to be heard by them.

Spectators are also conducted through the north wing, and all other departments, except that of the females and the hospital ; they are treated politely, and all desired information furnished them.

North Wing, containing the Cells and Hospital.

This wing is under the charge of a particular assistant keeper, who examines the cells, hammocks, books, &c. ; and if any wilful injury is done them by any convicts, or any weapon, tools, or the like, are found, he puts down the number of the cell, and offence committed, and reports the same for punishment.

He sees that the hospital, cells, bedding, galleries, &c. are kept perfectly clean, and well aired, for which purpose a number of convicts are constantly employed.

The whole department is swept clean every day, thoroughly scrubbed with hot soap suds each week, and whitewashed during the warm weather every month. A sixth part of the cells, galleries, &c. is scrubbed every day, so as not to occasion too much dampness.

Hospital.

Two trusty and active convicts are selected ; one as a cook in the hospital kitchen, and to assist the other, who is a steward or nurse, and has the particular charge of the sick, and attends strictly to all the directions of the physician, and shaves the sick convicts. When necessary, other convicts are sent in to watch with the sick at night.

A report of the names of all the convicts retained in the hospital, is every day sent to the keeper's hall, that when assistant keepers find any cell vacant as they lock up at night, they may know if any of them are in the hospital ; and the north wing keeper, who locks the hospital a few minutes before the prison closes, must see that all are in who belong there.

The physician directs what provisions are necessary for the hospital, and the north wing and hospital keeper must also see that the keeper is informed that he may provide them. These are obtained by purchase from day to day, but usually at steady places, where the best terms and articles can be had. All these provisions are weighed and examined at the keeper's hall, and if of good quality, are entered, with the name of the person furnishing them, in a book prepared for the purpose, and then are sent to the hospital.

The key of the hospital is kept with others in the key-room ; the key of the medicine room is usually kept in the deputy keeper's desk, and the key of the liquor chest by the physician.

The sick are allowed all the articles of comfort which would be proper to allow the sick in any circumstances in life.

When a convict dies, his body is kept 24 hours ; and if not claimed by any relative, the law of the state requires that it should be delivered to the agent of the college of physicians at Fairfield, for dissection. Such agent is usually the prison physician.

Kitchen and Wash-room Department.

There are about sixteen convicts employed in the kitchen and wash-room ; one third of them at washing convict's clothes and bedding.

The various kitchen employments of setting and cleaning tables, washing dishes, and other articles, (more than 6000 daily) baking, cooking, cutting and dividing rations, are allotted to particular convicts by the steward keeper, and superintended by him in the most regular and systematic manner ; and very special care is observed in keeping the mess-room and kitchen as clean as possible, and having them frequently whitewashed.

The rations are all weighed or measured by the steward keeper, and he is responsible, and liable to censure or removal, if he receives any provisions not good and wholesome. Great pains are taken by him in varying and managing the food to the best advantage, and especially in making bean and meal soups from the meat-liquor. From eight to ten assistant keepers are always present at breakfast and dinner, to preserve perfect order and profound silence, and to march the convicts back to their labor.

Female Department.

The females are all put together in the attic story of the south wing, and the steward keeper of the kitchen department has the charge of this also. They are employed mainly in picking wool, knitting

and spooling, although to very little advantage, as no means of coercion can well be adopted, nor any restraint upon conversation with each other, they being left alone, except once a day, when the said steward keeper goes with three of his kitchen convicts, and takes their rations and other supplies, and orders out the work they may have done, and other things that become daily requisite. They are visited by the physician when sick, and sometimes by the chaplain.

It is a subject of surprise, that in this enlightened and Christian age, female convicts should be confined in the same penitentiary with male convicts; and it is hoped the time is not distant, when that wretched class of beings shall be placed in a separate asylum, where, by the aid of matrons and solitary confinement at night, they may have some chance for improvement.

Receiving Yards.

That which has been called the north yard, is now divided into two by a partition wall, extending from the north east corner of the prison to the north wall, and is about 30 feet high.

In the centre, on the top, is a sentry box, from which a guard can overlook both yards; and directly under, is a gate large enough for teams to pass, and this gate is to be always shut when the outer gate is open, to guard against any sudden rush of convicts.

In the yard next the east wall, is the guard-house, under which are the stable and fire engine house. In the yard west of the said partition wall, and attached to the north wall, is the new cooper's shop; and at the west end, a soap and ash house, coal house, and also a fire proof brick building 34 by 16, three stories high, recently built for a kiln to dry cooper's stuff and lumber. In these yards are received, saw-de, split, and piled up, the wood for the prison; all

the lumber and materials for, and ware from the shops, and rations for convicts, and of necessity, is the great thoroughfare of the prison. Rubbish from the shops, and offals from the kitchen, are brought to the outer yard and burnt, or loaded into the state cart by convicts, and driven outside by one of the guard.

The assistant keeper having charge of these yards, must keep an account in a book, of wood, hay, ashes, lumber, and other materials, brought for the state ; watch closely citizens, who come in with teams, &c. ; prevent them talking with convicts, or privately giving them liquor, tobacco, or other forbidden articles, which many would do if they could, with safety. Convicts employed in this yard, are such as have no trades, and are robust, and most fit to labor.

The keeper of these yards frequently needs the assistance of a trusty guard, to aid him in the above services.

Contracts for the labor of Convicts ; duties of Contractors, &c.

For many years after the erection of New-York State Prison, the agent purchased all raw materials, had them manufactured and sold from a prison store, on account of the state ; and after this course had resulted in very serious losses, the legislature wisely abolished it, and directed that no materials beyond a very limited amount should be purchased on account of the state ; but that the agent should make contracts for the labor, simply, of convicts, with those who would furnish materials, and dispose of the articles manufactured exclusively on their own account ; by which means, great risks and losses are avoided, and much private capital, and personal interest and enterprise, are brought into action, in promoting the active and profitable employment of the convicts.

But this mode of employing convicts is attended with considerable danger to the discipline of the

prison, by bringing the convicts in contact with contractors and their agents, unless very strict rules are rigidly enforced.

As a general rule, a contractor is not permitted to speak to a convict; but is required to express his wishes and give directions to a keeper, whom they have a right, at all times, to call on in the shops, and inspect their own business, but not to visit any other part of the prison where their business is not pursued.

There are, however, necessarily, some exceptions to the rule against their speaking to convicts; as where the mechanic employment is not well understood by the shop keeper, as is the case in some instances. In this case, the contractor, or a first rate journeyman employed by him, is allowed to instruct and superintend the convicts, subject to all the rules of the institution; such as, that he shall never converse with convicts on any subject matter or thing, which does not immediately and necessarily relate to their employment and instruction; and that if a convict presumes to speak to the contractor, or his overseer or journeyman, in reference to any thing but his work, they are bound to report him to the keeper in the shop, for punishment. A citizen, who will be faithful in this duty, will avoid all trouble himself, because the convicts, seeing his firmness, and that he will not put himself on a level with them, will at once give over all attempts at familiar conversation, applications for aid in procuring pardon, for tobacco, or any other favors. Nor is the contractor, his agent or overseer, to laugh, whistle, sing, or indulge in any trifling or light conduct, harsh, irritating or profane language; but in all their intercourse with convicts, to maintain a grave and dignified deportment, that will repel the thought of their approaching them on social and familiar terms.

Contractors and their agents, as well as officers, are not allowed to smoke in the prison, nor to read, nor have newspapers, books, or writings, about their

persons or clothes, of which the convicts can, by any chance, get possession.*

For the wilful breach of these and other salutary regulations, or repeated negligence in conforming thereto, such contractors and overseers forfeit the right to be within the prison, and it is the duty of the agent and keeper to remove them.

All contracts provide for the strict observance of the prison rules on the part of contractors.

It will be perceived by this view of the subject, that the agent ought to be extremely careful to make contracts with the most respectable and discreet citizens, and not to allow any overseers but of correct habits and sound discretion, to enter within the walls. Contracts, therefore, cannot be made with safety for the employment of convicts, by advertising, and accepting the best proposals; but they can be made with much greater advantage, to discipline at least, by personal negotiation.

Rations, Clothing and Bedding.

The contracts for the supply of rations are required, by law, to be advertised; sealed proposals to be received, and the lowest to be accepted, provided good security is given. These contracts are now made annually on the 31st October.

The rations for each man per day, are as follows :

10 oz. pork, or 16 oz. beef,	} a ration.
10 oz. wheat flour, the wheat to be ground fine, and not bolted,	
12 oz. Indian meal,	
$\frac{1}{2}$ gill molasses,	

* A law of this state exposes to fine and imprisonment, any deputy or assistant keeper, or any workman employed in or about the state prison, or any other person who shall convey out of or bring into the prison, any letter or writing, or any other thing whatsoever, without being examined by one of the inspectors, the agent or keeper. 1 Rev. Laws, p. 275.

And 2 qts. rye, 4 qts. salt,	} each 100 rations.
4 do. vingear, $1\frac{1}{2}$ oz. pepper,	
$2\frac{1}{2}$ bushels potatoes,	

Salt pork and salt beef must be furnished alternately, each 3 days, and fresh beef once each week. All the articles to be of good quality, and beef and pork, such as will pass inspection as prime.

From these provisions, the convicts are supplied in the morning with cold meat, bread, a slice of cold hominy, hot potatoes, and a pint of hot rye coffee, sweetened with molasses. For dinner, they have meat, soup made from the broth, thickened with Indian meal, bread, hot potatoes, and cold water for drink.

Clothing, shoes and blankets, are manufactured by the convicts, from materials purchased by the agent, except that cotton is purchased in the yarn. Their usual dress is a round about coat, vest, and trowsers, made of cotton warp and woollen filling, with stripes running round the body and limbs; a cap of the same cloth; leather shoes and knit woollen socks, and shirts of cotton, not coloured. Each convict has from two to three blankets, made of coarse woollen yarn, a yard and an half wide, better than two yards in length, which are slightly fulled, and weigh about six pounds each.

Their hammocks are made of imported canvass, stretched by cords, and hung by the corners on hooks, rather loosely, or stretched tight on long narrow wooden frames, which lie flat at night, and are turned up edge-wise during the day.

The latter allows the body and limbs more freedom, but are more cold in the winter, liable to bed-bugs in the summer, and are the most expensive. But as many complain that the loose hammocks occasion pain in the breast and limbs, (especially tailors, and others of sedentary employment) the framed flat hammocks are now principally used.

The clothing worn by convicts, after being cleansed, is carefully kept in a room for that purpose, to

clothe them when they go out ; but there are few whose clothes are sufficient for them when discharged, and often, the clothes worn in, are so foul and filled with vermin, that they are burnt up.

The expense of new shoes and clothes for discharged convicts, is no inconsiderable item.

Number and employment of the convicts, October 31, 1827, with the amount of the earnings of each shop during that month, averaged on each man per day. The earnings of all the shops during the year ending 31st October, 1827, and also the probable earnings and expenditures for the current year :

	Average earnings daily per man.		Total earnings for month.
Cooper's Shop.			
Convicts on contract,	104	27 cts.	\$770 00
do. for prison,	2		
Tool Shop.			
Convicts on contract,	25	37 "	246 00
Shoemaker's Shop.			
Convicts on contract,	62	33 "	551 42
do. for prison,	7		
Tailor's Shop.			
Convicts on contract,	45	23 "	282 00
do. for prison,	12		
Weaver's Shop.			
Convicts on contract,	74	21 "	410 13
Weaving & spooling coverlids,	7	39 "	74 00
For prison ; Weavers,	9		
Spoolers,	6		
Spinners,	8		
			\$2333 55

Amount brought forward,				\$2333	55
Blacksmith's Shop.					
On contract ; Blacksmiths,	8	} 26 men.	48 cts.	335	68
Machinists,	11				
Gunsmiths,	6				
Waiter,	1				
For prison,	8				
Turner's Shop.					
On contract at chairs &		} 15 men	30 "	123	05
cabinet work,	11				
Baskets & axe helvcs,	4				
For prison,	1				
				\$2792	28

Total number of convicts on contract, including coverlid and carpet weavers, 358—averaging 29 cents per day, each man. Employed in the shops for prison, 53.

The above statement exhibits a tolerably accurate view of the business and earnings of the prison. The month of October, however, has one more laboring day than most others.

The earnings of the cooper's shop are assumed at the above amount, being an average of 4 months ; the other shops are truly exhibited for that month. It is proper to observe, that no deduction is made from the earnings for shop expenses, which are much the greatest in the cooper's shop, of any other ; nor is there any allowance made for apprentices, who vary in number and earnings in the different shops, and who, from the frequent discharge of convicts, constitute a large portion of the whole number.

The convicts engaged in making carpenter's and joiner's tools, the weavers, blacksmiths, gunsmiths, and those making cotton machinery in the turning shop, are employed by the day ; and all the rest, by the piece or article, at specified prices. Different descriptions of men are put at different kinds of bu-

siness, and at different prices. For instance ; about 30 invalid, old, and broken down convicts, are employed as spoolers on the weaving contract, at 15 cents per day ; while the machinists, and some others, are contracted at 50 cents per day.

On the said 31st October, besides the 411 convicts at work in the shops on contract, and for the prison ; there were 90 others, (besides 14 females) employed at building, and as cooks, washers, wood-sawers, whitewashers, scrubbers, waiters, &c. &c. In this number are also included a few sick convicts.

Since the time above mentioned, considerable additions have been made to the number in the shops, from those employed during the season in building, and from new comers ; but the former will be taken out in the spring, to be employed again in building. Several new temporary contracts have lately been made, by way of experiment : One for carriage making, one for house joinering, and dressing and polishing a fine grey limestone for fire-places, and another for making combs. The last is already commenced, and the two former will commence the first of January.

The earnings of all the shops during the year ending the 31st October last, without making deductions for shop expenses, amount to \$28,234 04. If the earnings of the shops during the year, had averaged as much as the last month, as above stated, they would have amounted to \$33,504 ; and it is probably safe to state the earnings of the present year at that sum. The only other source of revenue is derived from visitors ; and being fluctuating and uncertain, no very safe calculation can be founded upon it, and it may be left to provide against any error in the above estimates.

The probable expenditures of the year, commencing the first of November last, may be stated as follows :

Agent and keeper,.....	\$1000 00
Deputy keeper,.....	600 00
Clerk,.....	550 00
Chaplain,	200 00
Physician,.....	500 00
18 assistant keepers, at \$450,.....	8100 00
Sergeant of the guard,.....	300 00
9 guard, at \$216,.....	1962 00

\$13,212 00

Materials for bedding & clothing for an average of 550 convicts,.....	\$5500 00	
Provisions for an average of 550 men, at $5\frac{1}{5}c.$ per ration,.....	10439 00	
Hospital stores,.....	500 00	
Shop expenses for tools, &c.	800 00	
Fire wood, 1200 cords at 11s.	1650 00	
Stationary, lamp oil, soap and brooms, postage, hay and oats, &c.....	1000 00	
Stoves, knives and forks, spoons, cooking kettles, chalk, paints, whitewash brushes, and various other articles for use of the prison generally, which are placed under the head of prison,	1403 00	21,292 00
		<hr/>
		\$34,504 00

This amount of \$34,504, exceeds the amount of probable earnings during the same period, \$1000. We have surplus funds on hand, from which to provide for this excess ; and feel a confident assurance, that such will be the continued increase of earnings, that no further appropriation will ever be necessary for the support of convicts in this prison, unless in case of some unforeseen calamity, against which no foresight or prudence can guard.

It will be observed, however, that the above estimates do not include the expense of transporting convicts from the places of conviction to the prison, their expenses, when discharged, nor provide for alterations or repairs of building.

The two first items are no more a legitimate charge for supporting convicts, than the officer's fees for apprehending, of the district attorney's for trying them, or any other charge they may occasion the public, when at large. The expense of building rests on different ground; but the most sanguine economist never dreamed of making public criminals pay for their support, and for prisons to confine them. It is, therefore, proposed to have the law so altered, as to pay sheriffs for transporting convicts, directly from the state treasury, and that the legislature provide annually a small fund, to keep the prison buildings and appurtenances in repair, and to pay to discharged convicts their expenses to the places of their conviction.

It is highly gratifying to believe that the period has arrived, when state criminals can be made to support themselves while enduring the sentence of the law, and at the same time be subjected to a course of moral and reformatory discipline.

Of discharging Convicts, and the measures used to ascertain something of their former life, character, habits, &c. &c.

The present agent, very soon after his appointment, adopted the following practice in relation to convicts at the time of their discharge. His object in so doing, was, by coming to a knowledge of their early history, habits, and course of life, to collect facts, which might be of service in discovering the causes and tracing the progress of crime; and he chose this particular season, because, during the period of their confinement, the convicts have so many motives for concealment, that the same reliance

could not be placed on the statements they might make.

Every convict who is discharged, after he is shaved, dressed in citizen's clothes, receives the money allowed him by the state, realizes that he is entirely free from restraint, and his feelings and affections warmed by the joys of freedom, is asked into the agent's office, where the agent or chaplain, or both, enter into a free and friendly conversation with him, and endeavor, by a desultory course of enquiry, to arrive at a knowledge of his former history; how he was bred up; what means of literary, moral and religious instruction he has enjoyed; what has been his customary employment; where he has resided; what early temptations to crime, by being exposed to bad company or bad example, he has encountered; his general habits, predominant passions, and prevailing vices.

This course has been carefully pursued with one hundred and seventy-eight convicts, since the practice was adopted; and it is confidently believed, that after making all due allowances, a body of facts may be thus collected, which cannot fail to be useful to the philanthropist and statesman, and valuable to the public.

Thus far, our examinations most powerfully confirm the belief, that *ignorance* and *intemperance* are the two great causes of crime. The crimes of the young convicts can, in numerous instances, be traced to *ignorance*, as will appear in the account given of our Sabbath school; while *intemperance* rarely fails to have a great agency in the crimes of older convicts, among whom is a certain class of good talents and education, who have been respectable in life, but from loss of property and various other domestic misfortunes, have fallen into habits of intemperance, and from thence into crime.

After the above enquiries are finished, the convict is interrogated in relation to his confinement; in what respects he has endured the most suffering,

and what effect it has had upon his feelings and views of amendment ; how he has been treated ; where it is his purpose to go, and in what business to engage.

It is pretty generally agreed, that being deprived of all intelligence of their friends, the affairs of the world, and the means of intercourse and conversation with each other, occasions them more suffering, and tends more to humble and reform them, than every thing else without these ; that they are necessarily driven to reflection, and communion with their own hearts, at their meals, in their shops, their solitary cells, and through all the unvarying routine of their labor and rest. Many state, that they suffer the keenest pangs of conscience, and the most killing mortification in reviewing their past lives, and in reflecting upon the degradation to which they have reduced themselves ; the disgrace, suffering and ruin they have brought upon those to whom they are allied by kindred and affection, and of whose condition and fate, their ignorance has kept them in a constant agony of suspense ; and that they have firmly resolved to live a virtuous life, if they should survive their imprisonment.

By information derived from these convicts, who are frequently going out, the agent is enabled to ascertain important facts in relation to the character and practices of other convicts, which he might not otherwise discover.

They generally admit, that the desire to converse is so great, and the temptation to it so strong, that the convicts will run the hazard of speaking to each other, whenever they think there is any probable chance of escaping detection ; but that such is the vigilance of their keepers, generally, that scarcely any thing can be said, and never so as to carry on a connected discourse, or to concert conspiracies or rebellion. It is not an uncommon thing for a convict, when discharged, to state, that he did not know the names of his fellow-convicts, who had for months

worked by his side, and who had lodged in adjoining cells.

Much the greater portion of them agree in saying, that they have been as kindly treated and have fared as well, as their circumstances, as convicts, would admit; and feel grateful to their particular officers, to whom they often wish to express their thanks, personally, before leaving the prison. Neither the chaplain nor agent neglects this interesting occasion of affording such admonition and advice as they are capable of giving; and the convicts generally leave with their feelings deeply affected.

These officers also request those individuals to write to them when they shall have again settled; and from some of them, they have received very gratifying letters.

Discharged convicts are, in no case, allowed by law more than three dollars, which is often entirely insufficient to enable them to reach their friends without embarrassment.

Of the whole number thus examined, there were:

Under the age of 20,.....	6
Between 20 and 30,.....	77
“ 30 and 40,.....	40
“ 40 and 50,.....	33
“ 50 and 60,.....	15
“ 60 and 70,.....	5
“ 70 and 80,.....	2

In regard to education when they came to prison, the following will exhibit a very brief outline:

Decent common education,.....	115
Education very poor,.....	37
No education,.....	26

A great portion of the two latter classes have been instructed in the prison Sabbath school, and taught to read, and many of them to write and cypher.

Deprived of parents when young, or left them before they were of age, 65.

More or less intemperate, 87.

Religious Instruction.

To supply the convicts with regular religious instruction on the Sabbath, \$200 per annum is allowed by the legislature. This sum is divided by the board of inspectors between three clergymen of different denominations, whose duty it is to officiate in the chapel, alternately, on the Sabbath. The duties devolving on them, have been regularly and faithfully performed; and no doubt is entertained, that effects, salutary to the convicts and to the institution, have resulted from moral and religious instruction thus given. Still it is believed, that the above provision is far short of what it ought to be. One object in the confinement of convicts, is to secure society from their depredations; and so long as this confinement continues, this object is, of course, secured. But it is well known, that a very great proportion of these men are confined for a limited time.

Another and grand object, then, is to make their confinement, as far as possible, the means of their reformation; that when restored to their liberty, they may prove honest, industrious and wholesome members of society. Whatever, then, will contribute to this object, should be most industriously sought for and applied.

Public instruction on the Sabbath, is, doubtless, one means which should be steadily used: still, the course which has heretofore been pursued, is manifestly attended with its objections.

The clergymen who have officiated at the prison, have, mostly, had the charge of other congregations. Every third Sabbath, they preach a sermon to the convicts in the prison, in the morning. They then go to their own people, and are generally seen no more, until it again devolves on them to preach in the chapel. Being thus situated, they cannot, in the nature of things, use all those official means for the improvement and reformation of the convicts, which

they could, were their labors more devoted to them personally. Besides, the convicts themselves, who rarely see these men, excepting on the Sabbath, and when in the desk, are but too apt to feel that they come to preach to them as a mere matter of course, and for their wages, and are then gone, feeling no further solicitude in their behalf.

It is conceived there can now be no question, but that provision ought to be made for the support of a resident chaplain, who shall have the special charge of the religious instruction of the convicts, whose duty it shall be not only to preach to them on the Sabbath, but to improve all the opportunities afforded, (and they are many) in giving instruction and counsel, and performing those religious duties which are directly calculated to solemnize the mind and improve the heart. Among these are, visiting and conversing with them at their cells, and in the hospital; imploring a blessing at their table before they sit down to eat; and in reading the Scriptures, and praying with them after they go to their cells at night, and before they lie down to sleep.

In those penitentiaries where the convicts are permitted, in a greater or less degree, to associate together, and where numbers are congregated at night, it is hardly to be expected that any very important benefits would result from such a step. But in this prison, where no such intercourse is suffered, and where, from its construction, from two to three hundred of the convicts, although confined in separate cells, can, when so confined, distinctly hear the reading of the Scriptures and the prayers which may be offered, without a change of position by the person so officiating, it is confidently believed that an opportunity is presented to a resident chaplain, to effect vastly more than can be rationally expected from the course which has hitherto, until of late, been pursued.

A resident chaplain, possessed of those qualifications by which he ought to be distinguished; having

a thorough knowledge of mankind ; prudent, firm, discreet, and affectionate ; actuated by motives of public policy and Christian benevolence ; will very readily secure the respect and confidence of a great majority of the convicts. Residing with them, and visiting their solitary and cheerless abodes, they will consider him, especially the young, as their minister, their counsellor, their friend. They will be disposed to open their hearts to him with freedom : He will learn their history ; become acquainted with their views and feelings ; and will thereby be enabled to adapt his instructions and reproofs directly to individuals, as their several circumstances may demand. Secluded as the convicts are from society, and debarred from all intercourse with each other, their minds seem to be prepared, in a peculiar manner, to receive salutary impressions ; and when once made, having no connection with their fellows, they are in a situation very favorable to retaining them.

Thus circumstanced, a discreet, judicious man will know what instructions to give, and in what manner he may best apply them. It must be obvious, that suitable instructions and reproofs, administered under such circumstances, are calculated to produce a more deep and permanent effect, than when given in the ordinary way only from the pulpit, in general terms, and not adapted to the varied circumstances, feelings, dispositions and trials of the individuals immediately concerned.

There are always more or less of the convicts, who, by sickness or wounds, are confined to the hospital. Without a resident chaplain, this class of convicts, unless by mere accident, is deprived of the privilege of religious instruction. But a resident chaplain would feel it to be his duty often to visit and converse with them ; to enlighten the ignorant ; to alarm the impenitent ; to administer consolation to the afflicted ; to sit by the beds of the sick and the dying ; and by his instructions, admonitions and prayers, to do every thing in his power to promote

their best interests, temporal and eternal. Though convicts, they are still accountable and immortal beings, and deprived as they are, at such trying seasons, of the sympathies and kind offices of kindred and home, they need, in a peculiar manner, some benevolent and pious friend, to instruct and console them. Should they die, the reflection remains, that all has been done that humanity and christian charity demanded ; should they recover, such a course of treatment, unless we greatly mistake, has a powerful and direct tendency to soften the feelings, to affect the heart, and to improve the conduct.

A resident chaplain should, in all cases, and under all circumstances, strictly conform to the rules and regulations of the institution ; and especially, in not furnishing the convicts with forbidden articles or information ; or the hopes or promises of aid in procuring pardons, which would lead to great hypocrisy, and tend to insubordination. He should deal plainly with them ; should dwell, emphatically, upon their deep depravity and awful folly in violating the laws of God and their country, and sacrificing their own best interests ; should convince them of the justice of their punishment, awaken remorse in their consciences, press home upon them their solemn obligations, make them feel, pungently, the horrors of their situation, and by all other means, should endeavor to make them realize the necessity and duty of repentance, of amendment, and of a humble and strict obedience to all the regulations of the prison. This course would tend, powerfully, to make them better convicts, and, whenever restored to their liberty, better citizens.

In confirmation of the opinions and views above expressed, we would state, that in the month of November, 1825, the Rev. Jared Curtis was employed and sent here as a resident chaplain, by the Massachusetts Prison Discipline Society ; since which time he has continued, with ability and zeal, to discharge the duties before referred to : And although

prejudices had existed in the minds of some, against the expediency or utility of such a step, his knowledge of human nature, correct views of public policy, the penitentiary system and prison discipline, with a steady and uniform devotion to his duties, has enabled him not only to overcome those prejudices, but the favorable results of his labors fully justify what is said above on this subject.

How long that valuable society will extend its patronage to this institution, is uncertain ; and it is respectfully submitted, whether the public institutions of this state should not, in all respects, be supported either by the government, or our own charitable societies, without the aid of charity from abroad.

I am happy to observe, that the opinions of the several clergymen who now officiate in our chapel, correspond with the general views above expressed, in relation to a resident chaplain. One of them suggested, as the only objection, that convicts, having different views of different persuasions, would not have their prepossessions gratified, as they can by the present mode ; and hence, that preaching might not have so favorable an influence on some of them.

Sabbath School Instruction.

This subject is intimately connected with that of "Religious Instruction;" and must be felt, by all, to be of the utmost importance.

In the early part of the spring of 1826, measures were taken to ascertain the number of convicts who were unable to read, or who had received so little instruction as to be able to read only by spelling most of the words. The number was found to be between fifty and sixty, or about one eighth part of the whole number. Besides these, there were many others, who, though they could read, could not write, and were grossly ignorant. Here was exhi-

bited a striking proof, that ignorance is a fruitful source of depravity and crime.

It may not be uninteresting to remark in this place, that of the whole number of convicts in this prison, not one is known ever to have been a member of the Sabbath school.

Knowing that in the common course of events, a great portion of these ignorant and degraded delinquents would be restored to their liberty, and again mingle with society, it was considered to be a solemn duty to do what could consistently be done, to enlighten their minds; and by instruction, if possible, to elevate their views, and make them better men, and, eventually, better citizens.

The only practicable mode to effect this desirable object, which would accord with their situation, and the sentence by which they were confined, was judged to be the establishment of a Sabbath school, which was opened in the month of May. Fifty of that class of convicts, whose ages did not exceed 25 years, and who were the most ignorant, were selected and placed in the school. These were divided into classes of from 5 to 6, and instructed by students, who benevolently offered their services, belonging to the Theological Seminary in this village.

During the exercises of the school, in addition to learning the scholars to read, great pains have been taken to impress upon their minds a deep and abiding sense of moral and religious obligation.

In the month of November of the same year, the number of scholars was increased to one hundred. About this number have been kept in the school until the present fall, when 25 additional scholars were admitted, so that the present number is about 125. These are now instructed by more than 20 teachers from the Seminary. One of their number is designated as superintendent, having a general oversight and superintendence of all the school; although the resident chaplain has the charge and direction of

the whole, and is present when not prevented by other duties.

The privilege presented these convicts is embraced with the greatest avidity, and apparent thankfulness. Their conduct has, with scarcely an exception, been good, and their industry and application unremitting; and it is very gratifying to be able to state, that their progress has exceeded the most sanguine calculation. Nor is this all: An influence of a very salutary nature and tendency, it is believed, has been exerted on the minds of many of the members of this school; an influence which, it is hoped, will be felt through the whole course of their lives.

This article will be concluded with some extracts from a printed report of the Sabbath School Union for Cayuga county, presented at the annual meeting at Auburn, Aug. 8, 1827:

“Mr. B. C. Smith, the superintendent of the Sabbath School in the Auburn State Prison, has made a report to this board, which we present, hoping that it will have a salutary influence.” The following are extracts:

“In speaking of the progress of the school the past year, it is not enough to say that our highest expectations are realized; they are greatly exceeded. In the case of these convicts, we found fresh testimony to the truth of the common remark, that ignorance and vice are closely allied. By far the greater number of those received into the school, have been found incapable of reading intelligibly in common reading, and not a few unable to tell one letter from another. They have, however, uniformly manifested the most intense interest in the instructions of their teachers, and applied themselves with such diligence to their lessons, as to exhibit an improvement, in general highly gratifying, and in some instances almost incredible. Few can now be found in the school, if we except those recently brought in, who cannot read in the Testament with a good de-

gree of accuracy and readiness ; and never did beings express more gratitude for their privileges, or manifest a deeper sense of obligation, than they do to their instructors.

“ Did the limits of this notice admit of it, many anecdotes might be related that would be interesting, as illustrative of the happy influence of intellectual and moral culture bestowed even upon the most abandoned. A single fact may be mentioned, which will show what use some of the convicts, at least, make of their bibles, and how important it is that they have them in their hands, and be able to read them. A teacher, having listened to the recitation of one of his class as long as he thought the time would allow, asked him how much more he had to recite, and was answered, ‘ *I believe I can say thirty or forty chapters.*’ This was one, too, who, when he entered the school, could scarcely spell out a verse. Let it not be supposed, however, that this is given as the most striking proof we have of the utility of the school. A mass of facts might be presented far more decisive.

“ Who, that looks upon ignorance as the mother of crime, and regards intellectual light as essential to the virtue and happiness of a community, will not be glad that even one ray is thrown into this dark and ‘frightful wilderness of mind?’ Who, especially, that acknowledges the efficacy of the ‘sword of the spirit,’ will not rejoice in view of what the ‘word of God,’ thus treasured in their memories, may be the means of accomplishing?

“ It deserves also to be noticed, that besides the instructions ordinarily given in Sunday schools, writing and arithmetic are taught in this school. A class in each of these branches, was formed by the agent, nearly a year since, and put under the instruction of competent teachers found among the other convicts. All who are brought into this school, as they become proficient in reading, have the privilege, in their turn, of passing through these

classes, and of thus qualifying themselves, as well for the ordinary business of life, as for gaining access to the lively oracles of God, which are able to make them wise unto salvation."

Reformation of Convicts.

It is believed that very erroneous opinions are entertained on this subject; and they, doubtless, have arisen chiefly from the failure of success which has attended the old mode of discipline, which has been practised in prisons without a separation of the convicts.

The frequency and principal cause of re-convictions in other prisons, will very forcibly appear from the following extracts from the report of the Prison Discipline Society, before quoted :

"The correctness of these opinions, in relation to the evils arising from a crowded state of the night-rooms, is supported by a comparative view of the penitentiaries in the United States, in regard to the re-commitment of convicts, where the night-rooms are crowded, and where they are not.

"In the New-Hampshire penitentiary, the whole number of prisoners received from November 23, 1812, to September 23, 1825, was two hundred and fifty-seven; of whom eleven only were committed a second time.

"Twenty-one have been pardoned; of whom only one has been guilty of a second offence.

"The number of prisoners, September 22, 1825, was sixty-six; of whom only three were for a second offence, and none for a third.

"In this prison, from two to six are lodged together; generally, however, not more than two.

"In Connecticut, of 117 convicts in prison, February, 1825, twenty-six were committed for second, third, and fourth offences. In the penitentiary in New-York city, the number of females in November, 1825, was sixty-six; of whom twenty were

committed a second time ; six, a third ; two, a fourth, and one, a fifth.

“ Here they are lodged ten and twelve in a room.

“ In the State Prison in New-York city, in 1802, out of one hundred and ninety-one convicts received, forty-four were committed a second time, and two, a third.

“ The whole number of re-commitments to that prison, for a second offence, is four hundred and ninety-four ; for a third or more offences, sixty-one ; and the number pardoned, after having been convicted two, three, or more times, is one hundred and eight.

“ In this prison, the average number in the night-rooms, is twelve.

“ In the Philadelphia penitentiary, the number of prisoners, August 24, 1819, was four hundred and sixteen ; of whom seventy-three had been twice convicted ; twenty-five, three times ; seven, four times ; and two, five times.

“ In the female department, the number of convicts was sixty-three ; of whom seventeen had been convicted twice ; and two, three times.

“ Of the whole number of convicts in this prison, from 1810 to 1819, four hundred and nine had been convicted twice ; fifty-four, three times ; and two, six times.

“ Of four hundred and fifty-one convicts in this penitentiary in 1817, one hundred and sixty-two had been before committed or pardoned.

“ In this prison, twenty-nine, thirty, and thirty-one, are lodged in most of the night-rooms.

“ In the Massachusetts penitentiary, in 1817, out of three hundred convicts, then in prison, ninety were under commitment for the second, third, or fourth time.

“ In this prison, from four to sixteen are lodged in each of the night-rooms.”

But in an institution, where effective discipline is connected with an effectual separation of the con-

victs; where those convicts are allowed salutary exercise of body and mind, under proper restraints; where the ignorant are instructed, and the intelligent subdued; where every privilege, deprivation, and movement tends to produce a moral action upon the mind, and to soften the feelings and affections; where the reproofs, sanctions, and consolations of religion are daily administered, and especially on the Sabbath; and where the resident chaplain and principal officer habitually visit their solitary cells, and personally admonish with kindness and pungency; what cheerful hopes may not the christian, the philanthropist, and the statesman, indulge?

Let it not be understood that we expect that all, or nearly all, who are or may be confined in this prison, will be reformed. Such an event can by no means be calculated upon by any man in his sober senses. There always will be many, who, previous to their confinement, had become so hardened in villainy, so lost to all that is decent and good, and so insensible to moral obligation, that no rational hope of their being essentially benefitted, by any course of discipline, can be entertained, except what may arise from the interposition of a divine agency.

There will, doubtless, be frequent cases of re-conviction; and those cases will necessarily multiply, as the number of convicts shall increase, and the number of those discharged shall be continually augmenting.

In every large establishment, there will always be a class of convicts, who may be appropriately styled, *state prison characters*. A prison is their element. They can, seemingly, breathe no other air. If you throw them back upon the world, they are not satisfied till they are again in prison. If their sentence be short, when it expires, they go out but to be re-convicted, and to be returned. So they live, and so they die; and it is from this class that re-convictions, for the most part, take place, and are to be expected.

It ought not, then, from this circumstance to be concluded, that much the greater portion of those who are the subjects of the discipline of this prison, are not benefitted, and made better men, and fitted to be better citizens. We think that facts abundantly attest, that such a conclusion would be far from the truth. Sufficient time, it is true, has not yet elapsed, fully to develope the influence of confinement in this prison in reforming the habits and dispositions of men ; but enough has appeared to promise the most favorable results.

In the fall of 1826, an effort was made, by circular letters directed to postmasters, sheriffs, district attorneys, and other public officers, to ascertain the character and conduct of convicts, who had been discharged from this prison, and, withal, the effect which their confinement had produced. The result was, that information was obtained in relation to 79 ; and the accounts received, were forwarded by the inspectors to the legislature.

The same effort has again been made the past fall, and on a somewhat larger scale. The number in regard to which information has been lately obtained, is 127.

This number includes about forty of those who were heard from the last year. Reckoning those of the last year's list, who have not been heard from this season, the whole number in relation to whom information has been received, is 160.

The following table will furnish a very condensed but correct view of the result. The names of the individuals are withholden. Their initials only are given. What is said of character, is, in most cases, in the *precise words* of those from whom the information was derived. Where there is any variation of expression, it has been made merely for the sake of brevity ; the plain import of the language being, in no case designedly varied. The order in which the several cases are given, is the same as that in which they were received and registered.

TABLE.

Initials.	Crime.	Character before conviction.	Character since discharged.	Date of discharge.
W. S.	Forgery.	Irregular and intemperate.	Regular, sober and honest.	Jan. 9, 1826.
C. R.	Burglary.	Habits in general good.	Steady, moral, industrious and temperate.	March 11, 1826.
N. C.	Counterfeit money.	Intemperate; suspicious.	More temperate.	July 12, 1827.
A. B.	Forgery.	Not good.	Conduct good.	Sept. 14, 1827.
A. M. B.	Pet. larceny, 2d offence.	Unsteady.	Conduct good.	Aug. 7, 1827.
F. W.	Conspiracy to cheat.	Not known.	Conducts with propriety.	Sept. 15, 1823.
P. D.	Forgery.	Not known.	Conduct good.	March 26, 1824.
W. P.	Grand larceny.	Dishonest and dishonorable.	Same as before conviction.	Feb. 23, 1822.
J. C.	do do	Character good.	Deranged.	Jan. 4, 1826.
L. R.	do do	Steady and industrious.	Steady and industrious.	Sept. 19, 1825.
E. P.	Counterfeit money.	An idle profligate.	Steady and industrious.	Oct. 2, 1824.
J. H.	Bigamy.	Habits bad.	Improved.	June 26, 1822.
O. S.	Grand larceny.	Bad.	Bad.	Sent to canal, & escaped;
W. H.	Perjury.	Quarrelsome and bad.	Quiet, peaceable, and respectable.	Mar. 15, 1826. [never ret.]
J. O.	Felony.	Unsteady.	Very industrious; habits correct.	June 26, 1826.
O. S.	Grand larceny.	Indolent, intemperate, and vicious.	Temperate, industrious and much improved.	April 10, 1826.
J. S.	Attempt to rape.	Very intemperate.	Somewhat improved.	Jan. 4, 1822.
J. M.	Manslaughter.	Very notoriously bad.	Greatly improved.	March 4, 1826.
H. C.	Grand larceny.	Not known.	Uniformly industrious and honest.	June 23, 1825.
J. C.	Assault to murder.	Very abandoned fellow; intemperate.	A reformed man, apparently.	June 18, 1827.
J. C. P.	Arson.	Pretty fair character.	Uniformly good.	July 7, 1826.
W. L.	Assisting to break jail.	Suspicious.	Not much improved.	March 6, 1826.
P. T.	Manslaughter.	Intemperate and quarrelsome.	Greatly improved; conducts with propriety.	July 20, 1827.
J. C.	Forgery.	Habitual drunkard.	Habits still bad.	Aug. 3, 1826.
D. R.	Counterfeit money.	Not known.	Industrious and orderly.	April 8, 1820.
S. N.	Forgery.	Not known.	Industrious and orderly.	Feb. 2, 1821.
J. G.	Aiding to break jail.	Not good.	Better citizen.	April 4, 1825.

<i>Initials.</i>	<i>Crime.</i>	<i>Character before conviction.</i>	<i>Character since discharged.</i>	<i>Date of discharge.</i>
A. B.	Pet. larceny, 2d off.	Very intemperate and thievish.	Appears reformed.	Nov. 10, 1826.
H. A.	Arson.	Not known.	Sustains very good character.	July 24, 1822.
A. D.	Perjury.	Loose, drunken fellow.	Loose, drunken fellow.	Jan. 25, 1822.
J. F.	Assault to rape.	Not known.	Steady and industrious.	March 12, 1822.
J. G.	Perjury.	do	Industrious good citizen.	March 15, 1821.
D. P. M. N.	Forgery.	Intemperate.	Conduct bad.	Dec. 24, 1825.
M. S.	Perjury.	A bad man and an infidel.	No wise improved; is more than 70.	Oct. 12, 1826.
J. I. H.	Perjury.	Loose and intemperate.	Steady and industrious.	Oct. 19, 1826.
H. D. L.	Arson.	Reputation bad.	Nothing unfavorable.	May 4, 1827.
J. B.	Arson.	Very intemperate.	Steady and industrious.	Aug. 14, 1826.
J. P.	Ct. money.	Not good.	Character and habits good.	Sept. 24, 1819.
E. S.	Burglary.	Very notoriously bad.	Conduct irreproachable.	Feb. 8, 1826.
C. S.	Ct. money.	Worthless character.	In jail again for same offence.	Nov. 11, 1826.
E. C. D.	G. larceny.	Not known.	Honest, fair character.	April 7, 1824.
L. W.	Forgery.	Bad.	Bad.	Sent to canal; escaped, &
W. M. B.	G. larceny.	Had before been a convict in N. Y.	Bad.	Feb. 5, 1824. [never ret.
G. M.	Manslaughter.	Habits bad & vicious. [prison.	Not improved.	July 20, 1818.
A. B.	G. larceny.	Not known.	Nothing improper.	June 30, 1824.
A. P.	do	Intemperate.	Very industrious, sober, and character good.	March 13, 1826.
E. R.	do	do	do	Sent to new prison, April,
D. T.	do	do	do	do do [1825.
E. B. D.	G. larceny, 2d couvic.	Character very bad.	Is again in jail for larceny.	Aug. 30, 1826.
J. S.	Manslaughter.	Intemperate and malignant.	Much improved.	Nov. 28, 1823.
C. F.	Assault to murder.	Very intemperate.	Sober, discreet man.	April 15, 1824.
B. H. C.	Ct. money.	Suspicious.	Industrious and honest.	Nov. 6, 1822.
J. M. C.	Forgery.	Not known.	Character and conduct good.	Aug. 30, 1819.
J. H.	Ct. money.	do	Very respectable, and much thought of.	Feb. 28, 1821.
J. C.	Forgery.	Very dissipated and idle.	Much more steady and industrious.	Jan. 18, 1820.
H. H.	Burglary.	Thievish.	Entirely reformed; trusty and faithful.	March 24, 182.

J. S.	G. larceny.	Habits not the best.	Industrious, honest, respectable and pious.	July 7, 1821.
J. K.	Ct. money.	Long suspected.	Good moral character.	Jan. 11, 1826.
W. P.	Perjury.	Very intemperate.	Temperate and industrious.	July 25, 1827.
J. B.	G. larceny.	Unsteady.	Behaves well.	June 4, 1827.
B. C.	do	Character good.	do	June 15, 1827.
J. L.	Bigamy.	Habitual drunkard.	No wise altered.	July 26, 1826.
E. A.	Breaking jail.	Not known.	Character and habits good.	Aug. 16, 1826.
S. B.	Misdemeanor.	do	More industrious and sober, and not suspected.	Jan. 10, 1823.
P. D.	G. larceny.	Unsteady and dishonest.	Conduct honest and upright.	Oct. 18, 1826.
T. H.	Forgery.	Idle and dissipated.	Better citizen, and reformation appears real.	April 22, 1826.
F. Y.	Forgery.	Unsteady and bad.	Appears a thoroughly reformed man.	Sept. 20, 1826.
A. P.	G. larceny.	Indolent.	Industrious, and well esteemed.	Feb. 6, 1825.
J. V.	Forgery.	Not known.	Conduct very good.	June 18, 1827.
C. D.	G. larceny.	Rather loose.	Industrious, good inhabitant.	Nov. 25, 1826.
N. B.	Aiding escape of prisoners.	Not very good.	Conduct and character good, to a proverb; very [respected.	April 15, 1820.
W. B.	Forgery.	Not known.	Behaves with strict propriety.	Nov. 16, 1826.
D. L.	G. larceny.	Excessively vicious & intemperate.	An honest, industrious man.	April 8, 1818.
L. S. E.	Perjury.	Unsteady and idle.	Perfectly regular and unexceptionable.	June 20, 1827.
J. K.	Ct. money.	Intemperate and dishonest.	Sustains a fair character; steady and industrious.	Jan. 19, 1827.
G. O. B.	Forgery.	Character good.	Manifest reformation.	Sept. 4, 1821.
D. H.	Perjury.	Simple and ignorant.	Character good; industrious and thrifty.	July 9, 1821.
H. S.	Ct. money.	Idle and dissipated.	Simple & ignorant, but his honesty not suspected.	Jan. 7, 1822.
A. A.	Ct. money.		Has been idle and dissipated since his discharge, for a time; but appears now to be reformed and pious.	
J. T.	G. larceny.	Character bad.	Intemperate; otherwise decent.	April 16, 1822.
A. M. D.	G. larceny.	Very intemperate.	Continues intemperate.	April 25, 1820.
H. R.	Forgery.	Habits not good.	An altered man; no bad habits.	Sept. 1, 1819.
J. R.	Ct. money.	Not known.	Character good; steady and industrious.	June 19, 1824.
T. M.	Perjury.	Character bad.	Continues bad.	Dec. 4, 1822.
A. B.	Perjury.	Not known.	Decent, sober man, and a professor of religion.	Oct. 19, 1819.
J. H.	G. larceny	Not the best.	More orderly; his neighbors speak well of him.	Sent to canal Feb. 1822, & June 16, 1820. [never ret

<i>Initials.</i>	<i>Crime.</i>	<i>Character before conviction.</i>	<i>Character since discharged.</i>	<i>Date of discharge.</i>
A. H.	G. larceny.	Not known.	Have heard nothing against him.	June 28, 1822.
R. R.	G. larceny.	Very intemperate.	Deranged in prison, and since.	June 4, 1826.
B. N.	G. larceny.	Not described.	Morals improved, and is a good and wholesome	Jan. 13, 1827.
S. S.	Forgery.	Character bad.	Not good now, but rather improved. [citizen.]	May 18, 1826.
D. S.	Ct. money.	Not known.	Exemplary in all respects.	Sent to new prison, Ap. 1825
Indian.	G. larceny.	Not described.	Behaves much better.	Jan. 26, 1822. [never ret.
F. G.	Ct. money.	Extremely vicious.	A wholesome citizen of the 2d class.	Dec. 4, 1820.
E. W.	Forgery.	Dishonest and quarrelsome.	Behaves very well.	June 20, 1827.
P. H.	G. larceny.	Character bad.	Behaves very well.	Feb. 7, 1818.
J. D.	Forgery.	Simple and ignorant.	Is bad still.	April 24, 1824.
R. F.	Perjury.	Character very bad.	Steady and doing well.	June 26, 1827.
P. C.	G. larceny.	Intemperate.	Steady, and doing well.	Oct. 6, 1826.
L. L.	Arson.	Not specified.	Industrious, and has the confidence of community.	June 30, 1826
J. P. C.	Ct. money.	Character very bad.	Character fair, and is much respected.	March 5, 1824.
S. M.	Ct. money.	Good.	Steady, industrious, and a professor of religion.	Aug. 31, 1820.
J. W.	Breaking jail.	Not described.	Conduct very good; a merchant.	Oct. 9, 1826.
S. S. H.	Ct. money.	Not described.	Much reformed.	July 7, 1826.
D. D. B.	Ct. money.	Very intemperate.	Much as before.	April 12, 1827.
G. R.	Assault to rape.	Habits bad.	Somewhat reformed.	Nov. 26, 1824.
J. W.	Ct. money.	Not described.	Suspicious.	Jan. 10, 1826.
R. D.	Forgery.	Respectable.	Habits good; appears a reformed man.	June 26, 1827.
W. D.	Forgery.	Habits very bad.	Intemperate and thievish.	Sept. 24, 1819.
D. S.	Forgery.	Intemperate.	Somewhat improved, but none too good now.	May 28, 1824.
J. T.	Burglary.	Habits bad.	Conduct good, and appears like an honest man.	June 1, 1826.
A. V. T.	G. larceny.	Not very good.	Industrious and thriving.	Jan. 22, 1820.
J. K.	G. larceny.	Not known.	Steady, and doing well; habits much improved.	July 6, 1826.
J. B.	Perjury.	A bad man.	Is dishonest yet.	Feb. 16, 1824.
I. W. M.	Forgery.	A dishonest and dangerous man.		

D. C.	Perjury.	Not described.	An industrious, good citizen.	Sent to canal in 1822; escaped, and not returned.
J. P.	Attempt to rape.	Very intemperate.	More temperate, and behaves much better.	April 11, 1826.
J. P.	Perjury.	Not described.	Much improved.	June 2, 1826.
A. P.	Ct. money.	Not very vicious.	Character good; honest and upright.	April 15, 1824.
J. P.	G. larceny.	Very vicious.	Much reformed.	June 17, 1827.
J. M. B.	G. larceny.	Not described.	Conduct good, and much reformed.	Dec. 18, 1826.
A. H.	G. larceny.	A worthless fellow.	Worthless still.	Oct. 25, 1826.
W. M.	G. larceny.	Not described.	Conducts well.	Sent to new prison, Ap 1825
S. S.	Burglary.	Generally good.	A respectable, trust-worthy man.	Aug. 27, 1823.
A. C.	Ct. money.	Dishonest and vicious.	A pretty fair character; industrious.	April 18, 1826.
A. P.	Assisting to break jail.	Intemperate.	Habits much improved.	June 24, 1826.
J. C. C.	Ct. money.	Not known.	Sober, honest and industrious.	Oct. 9, 1826.
D. J.	G. larceny.	Unsteady and vicious.	Not altered for the better.	Dec. 16, 1826.
H. L.	Forgery.	Good.	Good.	April 13, 1825.
A. P.	Ct. money.	Rude and unsteady.	Honest, and character good.	April 15, 1824.
J. P.	G. larceny.	Not described.	Greatly improved; temperate and industrious.	May 16, 1822.
A. W.	Ct. money.	Very bad.	Considerably improved	Feb. 5, 1824.
J. T. L.	Fugery.	Decent.	Remarkably industrious, sober and steady.	Aug. 15, 1826.
J. B.	Ct. money.	Not known.	In Philadelphia prison.	Sept. 23, 1823.
C. W. S.	Forgery.	Very good.	Very good.	Dec. 10, 1825.
M. L.	Perjury.	Not known.	Decent, industrious man; only stimulates too high.	Sept. 9, 1824.
N. D.	Ct. money.	Not very good.	Very steady and industrious.	Feb. 25, 1824.
L. J.	Perjury.	Not very bad.	Altered for the better, but not very good.	March 16, 1825.
W. L.	Ct. money.	Bad.	Still bad.	June 2, 1826.
S. Y. S.	Ct. money.	Idle.	Greatly improved,	Dec. 23, 1820.
J. D. S.	G. larceny.	Not given.	No reformation.	Feb. 14, 1826.
D. Y.	G. larceny, 2d convic.	Very bad.	Regular and inoffensive; thought by some to be partially deranged.	Feb. 5, 1824.
J. G. F.	Perjury.	Extremely bad.	Peaceable and industrious, but somewhat intemperate.	Jan. 11, 1825.
J. S.	G. larceny.	Inconsiderate and irregular.	Industrious, and attentive to business.	Dec. 2, 1824.
J. F.	Forgery.	A prudent man.	Sustains good character.	Aug. 31, 1825.

<i>Initials.</i>	<i>Crime.</i>	<i>Character before conviction.</i>	<i>Character since discharged.</i>	<i>Date of discharge.</i>
S. C.	Perjury.	Rude.	Much reformed.	Sept. 1, 1825.
J. R.	G. larceny.	Not described.	Much improved.	Jan. 7, 1823.
D. B.	Ct. money.	Not described.	Much improved.	May 25, 1825.
E. B.	Ct. money.	Not described.	Much improved.	May 25, 1825.
H. P.	Ct. money.	Not known.	Neighbors say he is not a very bad man.	Aug. 17, 1826.
J. M.	Perjury.	Intemperate and unsteady.	Conduct very correct.	Sept. 4, 1823.
J. P.	Forgery.	Not known.	Dissipated and worthless.	June 17, 1825.
E. B.	Perjury and larceny.	Very bad.	Habits and character good.	April 24, 1824.
P. W. W.	G. larceny.	Said to be an old offender.	Habits bad.	Aug. 24, 1823.
J. W. B.	Ct. money.	Not known.	Thievish.	April 12, 1826.
J. W.	G. larceny.	Very vicious.	Conduct, till of late, very good.	Feb. 25, 1826.
P. B.	G. larceny.	Not known.	In New-York prison.	Dec. 17, 1821.
A. G.	Ct. money.	Intemperate and bad.	Steady, industrious, and well esteemed.	March 28, 1820.
W. R.	G. larceny.	Not known.	Steady, industrious, and a professor of religion.	April 12, 1826.
O. G.	Ct. money.	Not stated.	Character and habits good.	Nov. 6, 1825.
			A moral, good man.	Aug. 22, 1821.

Of the number contained in the above table, which amounts to 160, one hundred and twelve are described either as decidedly steady and industrious, and sustaining good characters, or very greatly improved; 12, as somewhat reformed; 2, as not much improved; 4, with respect to whom nothing very particular was known, but nothing unfavorable; 2, as rather suspicious characters; 2, as deranged; and 26, as decidedly bad, and not at all improved.

In addition to the foregoing, it is proper to state, that there are now in this prison, 29 convicts who have, once before, been confined here. Several of this number are of that class who were sent to the canal, and escaped, and were afterwards convicted of new offences. A number of others had been old offenders, and had been confined in other prisons previously to being sentenced to this.

After all, it is humbly conceived, that the facts disclosed in the foregoing table and statements, are of a nature to encourage the hopes and warrant the increased exertions of our legislators, and of all who feel an interest in the moral improvement and reformation of this degraded and unhappy class of our fellow beings.

This article will be closed by the statement of a fact, which we wish our legislators and magistrates of every grade to look at; a fact for the contemplation of Christians of every denomination; a fact for the sober consideration of the whole community, viz. that the *intemperate use of ardent spirits*, more than all things else, is the fruitful source of degradation and crime, and the most formidable obstacle to reformation. In confirmation of this fact, let it be remarked, that of the number of convicts who have been discharged from this prison during the past year, amounting to about 80, *fifty*, at the time of their discharge, acknowledged that they had been more or less addicted to *intemperance*, and some to a most awful degree. Again we would say, let every lover of his country look at this degrading, this alarming

fact, and consider well, whether something may not be done to arrest the progress of this "pestilence that walketh in darkness, and wasteth at noon-day," and which, in its desolating progress, is perfecting the ruins of its hundreds and its thousands!

General health of the Convicts.

This prison has been distinguished for the general good health of the convicts.

During the year 1822, there was an average number of between 7 and 8 confined in the hospital, out of 220 convicts, and 10 deaths. In the year 1823, an average of 9 out of 260 convicts, and 9 deaths. In 1824, an average of 10 out of 328, and 2 deaths, both by consumption. The physician's report of that year, states:

"That though there has been an increased number of convicts reported sick, the number of deaths is smaller than any year preceding, and that the reason is obvious. That there has been an abandonment of continued solitary confinement. That those in the cells who were pardoned last spring and summer, were most of them enfeebled, and sickening with a consumptive diathesis, that would have become incurable.

"That diseases are characterized by the same symptoms as those in the adjacent country, and that so long as the regulations for cleansing are rigidly enforced, there cannot exist, in and about the prison, any local or pestilential cause of disease."

During the year 1825, there was an average of six confined to the hospital, out of an average of 386 convicts, and six deaths. In 1826, the average number confined to the hospital, out of the average number of 432 convicts, was between 4 and 5, and the number of deaths, seven.

During the year 1827, the average number of hospital cases has been 4; the average number of convicts, 476, and the number of deaths, nine. Four

of the nine deaths which occurred the past year, resulted from diseases with which the individuals were afflicted when they were brought to prison; and the same will hold true in relation to a considerable proportion of the deaths which annually happen here.

In regard to diseases, they continue such as characterize the adjacent country, generally. The following are the diseases which terminated fatally in the years 1826 and 1827 :

In 1826—Inflammation of the lungs, . . . 1	
do. of the stomach, 1	
Dropsy of the heart, 1	
Consumption, 4	
— Total, 7	

In 1827—Disease of the heart, 1	
Rupture of a blood vessel in the lungs, 1	
Typhus fever, 2	
Dysentery, 1	
Consumption, 4	
— Total, 9	

The proportion of deaths in this prison, has been about one to 28 convicts received; in Vermont, about the same; in Massachusetts, 1 to 18; and in the prison at New-York, 1 to 8.

The striking difference in the number of deaths and hospital cases in this prison, in proportion to the number of convicts, before and since the abandonment of unremitted solitary confinement, is a most interesting fact.

It will be observed, that in 1823, with an average number of 260 convicts, there was an average of 9 hospital cases, and 9 deaths; while in 1827, there was an average of 476 convicts, *four* hospital cases, and 9 deaths, five only of which were occasioned by diseases originating in prison. The number of deaths, however, does not so correctly indicate the general state of health in the prison, as the average

number of convicts confined to the hospital ; and the contrast in this respect, between the years 1823 and 1827, is too great to be accounted for, except from the effects of constant solitary confinement.

Without some explanation, the rapid increase of convicts in this prison, might lead to an erroneous conclusion in regard to the increase of crime.

Soon after the building of this prison commenced, a few counties were designated by law to send to it their convicts ; and from time to time, as the building advanced, additional territory was added to this prison district, until it embraced three fourths of the population of the whole state, and which is now the case.

Before we conclude this article, it may be proper to mention, that the convicts here are strictly prohibited the use of ardent spirits and tobacco, except as a medicine ; and, contrary to a very common but fallacious notion, that the confirmed drunkard cannot, at once, break off from the use of spirits without danger to his health, it has been invariably found that they have never suffered in this respect from sudden and entire abstinence, but almost as uniformly their health has been improved. It is true, they appear to be very uneasy, and somewhat lost, for a few days, and with rather poor appetites ; after which, they eat heartily and improve in health and appearance. Being deprived of tobacco, occasions much more suffering to those who have been in the habit of using it, than the loss of ardent spirits to the drunkard. There are many who have been confined for years, that would cheerfully exchange half their rations of food for a moderate allowance of tobacco ; yet the want of it rarely affects their health or appetite. It may further be remarked, in connection with the foregoing, that it is no uncommon thing that convicts, who are brought here with constitutions enfeebled, and carrying about them diseases induced by intemperance and irregular habits, in consequence of the perfectly regular habits, employment

and diet to which they are here subjected, find their health materially improved, and in many cases entirely restored.

A TABLE, shewing the number of convicts received on first conviction, their crimes, terms of sentence, ages, places of nativity, employment, the number of deaths, pardons, &c.

The whole number of convicts received 31st Dec. 1827, 1214; the first received in April, 1817.

Places of Nativity.

New-York,.....	486	S. Carolina,	1
Connecticut,	133	Ireland,	110
Massachusetts,....	122	England,	40
Vermont,	75	Germany,.....	13
Pennsylvania,.....	40	Canada,	24
New-Jersey,.....	38	Nova Scotia,	8
New-Hampshire,..	39	Scotland,	9
Rhode-Island,	34	France,	3
Maine,	9	Wales,	2
Maryland,.....	7	Delaware,	2
Virginia,.....	8	Washington, D. C.	3
Kentucky,	5		
N. Carolina,.....	3		1214

Ages.

15 to 20,	122	50 to 60,.....	56
20 to 30,	593	60 to 80,	24
30 to 40,	280		
40 to 50,.....	139		1214

Crimes.

Grand Larceny,...	543	Breaking gaol,	44
Passing counterfeit money,	140	Petit larceny, 2d offence,	65
Forgery,	133	Assault and battery, with intent to rape.....	31
Burglary,	59		
Perjury,	51		

Assault and battery, with intent to kill, 34	Felony, (2) 3
Manslaughter, 26	Kidnapping, 2
Arson, 20	Sodomy, 1
Rape, 23	Attempt to poison, 2
Bigamy, 17	Robbery, 3
Swindling, 10	
Murder, (1) 7	1214
Pardoned, 443	Deaths, 50
Discharged by expi- ration of sentence, 149	Escaped, (3) 23
Negroes, 52	White females, 11
Indians, 16	Negro females, 17

Occupations when convicted.

Laborers, (4) 790	Hatters, 6
Shoemakers, 116	Printers, (5) 3
Carpenters, 61	Barbers, 3
Blacksmiths, 56	Chandlers, 2
Tailors, 26	Wagon makers, 2
Masons, 22	Butchers, 4
Clothiers, 18	Gunsmiths, 2
Weavers, 18	Bloomers, 2
Coopers, 20	Turners, 2
Tanners, 13	Paper maker, 1
Cabinet makers, . . 10	Tobacconist, 1
Painters, 9	Wheelwright, 1
Cotton spinners, . . 2	Miller, 1
Saddlers, 7	Trunk maker, 1
Millwrights, 4	Sail maker, 1

(1) In these cases, the punishment of death was commuted by the government, and they were sentenced to imprisonment for life.

(2) In those cases, the certificates of conviction did not designate the description of felony.

(3) All except two escaped before the prison was completed.

(4) In the class of laborers are placed all those who have no regular trade, viz. farmers, sailors, soldiers, &c. &c. together with a very few merchants, lawyers, and physicians.

(5) One of these had a good classical education, and had fine talents. He has been pronounced a first rate scholar in mathematics by two professors, whom the agent invited to examine him. His crime was forgery, and he was addicted to intemperance. There has been no other convict in this prison, who is known to have been classically educated.

Reed maker,	1	Boat builder,	1
Chair makers,	3	Plough maker,	1
Silversmith,	1	Distiller,	1
Potter,	1		
Tinner,	1		1214

Terms of Sentence.

3 years,	193	10 years,	86
3 " 1 day, ...	151	11 "	2
3 " 1 month, .	4	12 "	8
3 " 3 " ..	1	13 "	2
3 " 6 " ..	18	14 "	43
4 "	135	15 "	4
5 "	167	18 "	2
6 "	41	Life,	103
7 "	205		
8 "	42		1214
9 "	7		

Importance of an easy communication with the Grand Canal.

If this prison were located on the grand canal, or if there were a rail road, or canal, leading to it from the prison, it might be rendered a source of considerable revenue.

In the neighborhood of the prison, are inexhaustible quarries of stone, suitable for canal locks, rail roads, buildings, hearths, fire-places, &c. which could be worked to great profit in the prison, if there were the above facilities of communication with the western canal.

With such communication, the article of curled maple, with which our country abounds, could be worked and sent to the city of New-York to great advantage; and also window blinds, sash, and various other articles, for the raw material of which that city is dependent more or less upon this country.

We work up annually at this prison, one million one hundred and twenty-six thousand staves, head-

ing and hoop-poles, making at least twenty-two hundred and fifty-two tons freight, most of which must be brought from the canal, $7\frac{1}{2}$ miles by land over a bad road ; and most of the ware, when manufactured, must be taken back in the same way to find a market.

This return freight is as much more bulky, as it is less heavy, than the raw material ; making in the whole, equal to four thousand five hundred tons. To this must be added, five tons of iron and paints, annually consumed by this branch of business.

There will be hereafter annually worked into carpenter's and joiner's tools, about 75,000 feet of beech timber, making 150 tons, producing about 75 tons of tools, which are sent to the canal, and thence to New-York, Boston, Detroit, and intermediate places. This branch of business will require annually about 15 tons of iron.

The cotton goods, (chiefly bed ticking) which are made in prison by more than seventy weavers and spoolers, from the yarns, are transported to the New-York market, from which place the cotton to make them is previously brought.

Castings, to a large amount, are brought from the canal, manufactured into cotton machinery, and then transported back to the canal.

The ordinary wants of the prison occasion considerable transportation of heavy articles, such as iron, glass, stoves, kettles, and various other things ; and the time is not distant, when it will become necessary to resort to the canal for wood or coal, for fuel, and coal for manufacturing iron.

No experiment has yet been made in this state in building a rail road ; and perhaps there is no place where one can be made under so favorable circumstances, as between Auburn and the western canal. The soil, and uniformity of descent, are highly favorable, and all the materials, except iron, are found on and very near the place of location.

The expense, in proportion to the direct benefits to the state, and the general advantages to community, it is believed, will be much less than any other similar work that can be suggested.

A canal from the Owasco Lake to this village, can be made with a moderate expense, and is already contemplated by a private company; and when united with a rail-way extending to the grand canal, will make a chain of easy communication nearly thirty miles into the heart of a rich country, abounding with important resources and hydraulic privileges.

Of solitary confinement at the Auburn Prison, and its effects.

The south half of this prison was built much upon the old plan, with halls on one side, and large rooms adjoining on the other.

The attic story was thrown into one room, and also the upper story at the west end, now used as a chapel. The wash-room, kitchen and mess-room, were made in the basement story. There were a few small rooms, calculated for two convicts.

In April, 1819, and before the building of the other half of the prison was commenced, the legislature authorised the inspectors "to alter or change the interior plan originally adopted, so far as to render the same more suitable for confining each prisoner in a separate cell."

In pursuance of this authority, the then agent commenced building and nearly completed the north front, upon the new plan of solitary cells, but before finished, it was fired by some of the convicts, and pretty much destroyed; for the rebuilding of which, an appropriation of \$25,000 was granted by the legislature.

Such was the state of the prison, when, in 1821, the present board of inspectors, (the present agent being a member) was appointed. This board appointed a new agent.

The legislature passed an act, April 2d, 1821, directing the inspectors to select a class of convicts to be composed of the oldest and most heinous offenders, and confine them constantly in solitary cells. At this period, the legislature and public at large had become so dissatisfied and discouraged with the existing mode and effects of penitentiary punishments, that it was generally believed, that unless a severer system was adopted, the old sanguinary criminal code must be restored. In dread of such a result, the legislature ordered the experiment of exclusive solitude, without labor, and it is now believed, that in avoiding one extreme, another was fallen into.

In pursuance of this law, after a sufficient number of cells were completed, on the 25th December, 1821, there were selected eighty convicts, and put into solitary cells.

These convicts were kept remote from the rest, and where visitors were not allowed to go, but where an officer remained day and night, as well to guard against the possibility of mischief or accident, as to enforce a perfect silence in the cells.

They were not allowed to speak, except to the chaplain, and to inform the officer they were sick; on which, the physician was sent to examine them, and, if necessary, they were removed to the hospital; other convicts brought their food to their cell doors, under the eye of an officer, and carried away what was necessary. Great care was taken, by whitewashing and cleansing, to keep their cells and clothing pure and wholesome, and they were prevented from lying down in the day time.

For a considerable time, we had great confidence in the success of this experiment.

In April, 1822, an act was passed, directing the inspectors to report to the justices of the supreme court, a list of all the convicts then in solitary confinement, with their crimes, character and conduct, and to state the duration and extent of such confinement.

The same act required the said justices to examine said report, and from their own notes of trial, and other information to be furnished, to certify their opinion to the executive, as to the propriety of from time to time pardoning said convicts.

This act referred to the act of April 2d, 1821, and recited, that the punishment of these convicts, by changing them from labor to solitude, might be unduly increased. On the first of August following, we made a report in pursuance of said act.

During the year preceding January 1823, there was an average of about 220 convicts in prison. From the physician's report of that year to the inspectors, it appears that the average number of sick in the hospital was between seven and eight. That there were ten deaths, seven by consumption, five of which were from among the solitary convicts. The physician speaks of convicts coming into the hospital from the cells, with difficulty of respiration, pain in the breast, &c. and concludes his report as follows: "It is a generally received and acknowledged opinion, that sedentary life, no matter in what form, disposes to debility, and consequently to local disease. It may be produced in the study or the prison; in the nursery and the college; or in any other place where muscular exertion is restrained. If we review the mental causes of disease, we shall probably find, that sedentary life *in the prison*, as it calls into aid the debilitating passions of melancholy, grief, &c. rapidly hastens the progress of pulmonary disease." From the order and cleanliness of the prison, we have no reason to conclude, that any atmospheric cause reigns within its walls, calculated to produce serious disease; but confinement operates upon the existing germ of diseases, and hastens the progress of all those that must have otherwise terminated in death.

It is not known whether the judges of the supreme court acted upon said report made to them, or not; but the legislature passed an act, April 15,

1823, requiring the inspectors to make a similar report to the governor, and for the same reasons alleged in the said act of April, 1822.

A report was made to Governor Yates, as directed by said act; and in the summer of 1823, he visited the prison, personally examined the solitary convicts; and, after consulting with the inspectors and agent, determined to pardon them all gradually, as their names should be sent to him by the inspectors, except some whose sentences would soon expire, and a few others to be put to labor, and which was done accordingly.

These measures were adopted for two reasons: First; that their punishment was changed, and increased beyond their sentence. Secondly; that the health and constitutions of those surviving convicts had become alarmingly impaired.

The said act of April 15, 1823, authorised courts, at their discretion, to sentence convicts for second offences to solitary confinement, not exceeding two years; but there is not a convict now in the prison thus sentenced.

By the close of the year 1823, the solitary convicts were principally released, and a majority of them by pardon, since which, exclusive solitary confinement has been discontinued.

During the year preceding January 1824, there was an average of about 260 convicts, and an average number confined in the hospital of about 9, and there were 9 deaths.

The physician's report states, that five of the nine were subjects of solitary confinement, and died with consumption, accompanied with effusions of water; that a number were pardoned by reason of disease, which, by continued confinement, would have terminated in consumption and death; states, that some cases did so terminate after they were pardoned, and that he had learned of others languishing from the effect of solitary confinement.

A number of those convicts became insane while in solitude ; one, so desperate, that he sprang from his cell when his door was opened, and threw himself from the fourth gallery upon the pavement, which nearly killed him, and undoubtedly would have destroyed his life instantly, had not an intervening stove-pipe broken the force of his fall. Another beat and mangled his head against the walls of his cell, until he destroyed one of his eyes. Another cut the veins in his arm with a piece of tin, to bleed himself to death.

Nor was the effect of this constant confinement more favorable to reformation than to mental and bodily health. Of those who survived its shock upon their constitutions, twelve have been reconvicted and returned to the prison, whose average confinement in solitude was about twenty months. It is proper to observe, that several convicts, of the solitary class, are still in prison, who were released from solitary confinement, and put to labor.

One of those pardoned, committed a burglary in this vicinity the very first night after being released from a long confinement, but escaped conviction on some technical ground.

Some others are known to have so conducted as to be a terror in their neighborhoods, who have not been reconvicted of crimes, and not one instance of reformation among that class has been known.

It is true, that in forming that class, the worst men were selected from the best information we had of them ; but at that time, there were little more than double their number of convicts from whom to make the selection, and it cannot be supposed, that in near all the cases we judged correctly. The conduct and health of a few other convicts, sentenced to solitary confinement by courts, have been much like the other class. One deserves to be mentioned. Hiram Maxwell, a man of good talents and education, was sentenced, by the court, to three years' solitary confinement, without labor, in the

New-York State Prison, and was afterwards brought with other convicts, to this prison, from which he was discharged in the spring of 1826, by expiration of sentence; when he went out, he was in feeble health, but of a fleshy, plethoric habit. He returned to New-York, where he was brought up, and immediately engaged in a course of daring villany, which he did not long pursue, before he was convicted, and again sentenced to the New-York prison.

It is, however, proper to remark, that he had been twice before sentenced to the New-York prison.

These facts will not appear less striking when compared with the following: There have been received, on first conviction, into this prison, twelve hundred and fourteen, besides one hundred and thirty, brought from the New-York prison, in exchange for one hundred taken from here to build the new prison at Sing-Sing.

Six hundred and sixteen have been discharged by pardon, and by expiration of sentence. From among these, there have been thirty-eight returned on reconviction, including those from the solitary class; but six of them had previously escaped from the grand canal, where they had been placed, with sixty-nine others, to labor, by an ill-advised act of the legislature.

None of them, indeed, were ever returned to prison, except those reconvicted, and a few others who were recaptured after their escape, before which they had generally concerted extensive plans to cooperate with each other in the business of horse-stealing, counterfeiting, and other crimes, in the execution of which, those reconvictions and recaptures took place. This is mentioned, merely to show the injurious effect upon reformation, and to account for many of the reconvictions above mentioned. There have been no convicts sentenced to this prison a third time. In view of these facts, it cannot be considered singular, that an entire change of opinion was wrought on the subject of exclusive solitary

confinement, without labor. We now believe that solitude, combined with labor, applied to convicts under the rigid discipline of this prison, is much better calculated to achieve the end in view, and is perhaps the best possible middle ground between the two extremes of penitentiary punishment.

The diversion and exercise arising from labor which the convicts now enjoy, are certainly no more than is indispensable to mental and bodily health; and their earnings should have some consideration with the government.

There is no doubt that uninterrupted solitude tends to sour the feelings, destroy the affections, harden the heart, and induce men to cultivate a spirit of revenge, or drive them to despair, although such may not always be the effect upon martyrs and patriots, whose devotion to liberty or religion may sustain their bodies and minds in health and vigor, while suffering in a righteous cause. Yet solitude, to a certain extent, is indispensable in prison discipline. A degree of mental anguish and distress may be necessary to humble and reform an offender; but carry it too far, and he will become either a savage in his temper and feelings, or sink in despair.

With all the privileges enjoyed by the convicts in this prison, insanity is no uncommon occurrence. There are several now more or less insane, who uniformly behaved well before their derangement, and who have never incurred any corporal punishment since their confinement.

We have thus frankly acknowledged, and fully exposed, a dangerous error, which we believe has been fallen into in carrying the doctrine of solitary confinement entirely too far. It is deemed proper to add, that a majority of the commissioners, who examined this and the New-York prison, and whose report will be hereafter alluded to, were entirely against exclusive solitary confinement without labor, on the ground of health, expense, reformation, and

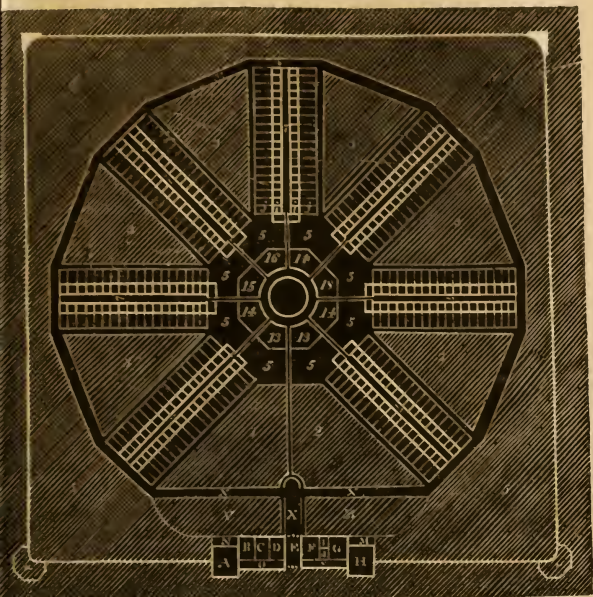
unnecessary severity, and they give their reasons at length, and with great force.

Of the new State Prison in Philadelphia.

We copy the following judicious remarks on this prison, from the last annual report of the Boston Prison Discipline Society, to which shall be added such further observations as the subject seems to require.

"This prison is located on elevated ground, about $2\frac{1}{2}$ miles northwest of the city, and about half a mile east of the Schuylkill River.

"The yard wall, which is built of stone, 30 feet high, encloses nearly twelve acres. The building for the keeper's house, and the offices of the prison government, makes a part of the south wall on each side of the centre. The magnificence of this part of the prison may be inferred from the fact, that the yard wall cost about \$200,000. On the centre of the yard is erected the observatory, and on seven lines diverging from the observatory towards the wall, the blocks of cells. The cells are arranged in two rows, in seven one story buildings on opposite sides of seven passages, extending from the observatory towards the wall to the ends of the blocks of cells. Connected with each cell on the outside, is an exercising yard. The entrance to the cell is through the exercising yard. The place of observation for the keeper over the prisoner, is through a small orifice, opening from the cell into the passage, which may be closed at pleasure by the keeper, and which is intended to be kept generally shut. The only mode of seeing the prisoner while confined in his cell, if the doors are shut, is through this orifice. When he is let out of his cell into the exercising yard, he may be seen either by opening the door of the exercising yard, or by walking on the top of the wall over the exercising yard. The wall of the exercising yard is so high, that he cannot be seen from



GROUND VIEW OF THE NEW PRISON IN PHILADELPHIA.

The external wall, 30 feet high, encloses a yard 650 feet square; E, entrance beneath an arch secured by two gates, under the centre of the front building, which forms a part of the south wall; A, B, C, D, F, G, H, I, J, apartments in this building, used by the government of the Prison for public offices; and by the keeper and his family for a dwelling house; the Hospital and apothecary's shop also, are in this building; Z, V, yards for the accommodation of the keeper's family and the Hospital; X, X, passage from the arch to the interior yards; 1, 2, 3, 3, 5, 5, spaces between the blocks of cells, and between the blocks of cells and the external wall. The observatory is in the centre; 7, 7, 7, are the passages between the cells, extending from the observatory towards the external wall; i, i, are the cells 12 feet long and 8 feet wide; j, j, are the exercising yards. There is a tower at each corner of the yard, and over the centre of the front building.

Scale 162 1-2 feet to an inch.

the principal observatory in the centre of the large yard, unless the observatory is raised to a height far above that contemplated in the original plan.

“The entrance to the cell from the exercising yard, is secured by double doors, one on each surface of the wall; the inner door of grated iron, and the outer door of plank. The orifice between the cell and the passage, which is large enough to admit the face of a man, is secured by double doors of plank.

“For ventilation, there are several holes about three inches in diameter, near the floor of the cell, passing through the wall into the exercising yard, and several small angular flues passing off through the wall, between the cell and the passage, about 10 feet above the floor. The mode of heating now proposed, is by admitting warm air into each cell through a small orifice opening into an air chamber, which is to extend the whole length of each passage beneath the floor. Whether the ventilators into the exercising yards, and the orifices into the air chamber, will not open a communication between the prisoners in different cells, can only be told by experiment. If it should be so, there would be no way to prevent communication, except by altering the construction; unless a keeper could be placed in each air chamber, and in each exercising yard. It would require more keepers than prisoners to prevent communication in this way. Whether it is practicable so to construct two cells, or apartments adjoining each other, that there cannot possibly be any communication between two persons confined in them, while they are furnished with sufficiently free ventilation, is a point never yet so tested by experience within our knowledge, either in prisons or lunatic asylums, as to prove the possibility of such a thing. It is not done at the lunatic asylum in Charleston, and it was not done at the new prison in Philadelphia in April, 1827, for the cells were not completed.

“If it could be done, the question deserves consideration, whether it ought to be done; for the case not unfrequently occurs, in a large prison, in which a prisoner is taken violently sick. Now if they are confined in cells, from which it is impossible for any one of them to be heard, even by the person in the adjoining room, how shall the keeper know that the prisoner demands attention?

“It is true that there might be pipes extending from each cell to the keeper’s apartment, so that the keeper would know if the prisoner is in distress; but no such thing is proposed.

“The sentinel in the passage would hear the noise of the prisoner, if the doors were kept open; but it is proposed to keep them shut, to prevent the prisoners from seeing each other, and hearing each other across the passage, so that the sentinel would only know the condition of the prisoner when he opened the door to look in upon him. The sentinel being placed in the air chamber, or in the exercising yard, might probably hear the prisoner; but it is not proposed to keep a sentinel in either of these places.

“As the prison is constructed, it will be difficult to know when the prisoner is in distress; and while the sentinel could not hear the prisoner, the prisoners would have a better opportunity to hear each other. The sentinel in the passage could not hear the conversation of the prisoners through the air chamber, because the sound would pass under the floor of the passage.

“And when the prisoners are let out of the cells into the exercising yards, the sentinel in the passage could not prevent their conversing with each other over the walls. Nor is it perceived how conversation over the walls of the exercising yards can be prevented, if a considerable number are let out of the cells into the yards at once. If they should all be let out at the same time, it would require a keeper probably to every five yards, to prevent conversation. And even with this number of keepers, which

would be fifty, they would labor under many disadvantages in preventing evil communication.

“The tops of the walls of the exercising yards are not prepared for the keepers to walk on them; and the passages between the cells are so separated from the exercising yards, that the keepers, being in the passages, could not easily prevent evil communication while the prisoners were in the exercising yards.

“The keepers, therefore, would probably take their stations, either in the exercising yards, or on the outside of the wall, while the prisoners were in the exercising yards. If they should do this, their means of preventing conversation would not be good. If, to avoid this trouble, only a few prisoners should be let out at the same time into the exercising yards, and these should be in yards separated from each other, it would require a great deal of time from a number of keepers to let them all out of their cells *daily*. If it is not done so often as this, the question would arise, whether it is expedient to build two hundred and fifty exercising yards for two hundred and fifty prisoners.

“It has been urged in favor of this plan of building, that it gives great facilities for inspection; so great, that the keeper in the observatory in the centre of the large yard, as well as the keepers in the lofty towers on the external wall, may overlook the whole establishment. It is true that they can see, from those points of observation, the roofs of the cells, and the tops of the walls of the exercising yards; but it is also true, that they cannot see the prisoners when they are in their cells, nor while they are in the exercising yards, unless the prisoners choose to show themselves. From the tower in the centre of the south wall, which is one of the most lofty, the eye can see no further into the exercising yard of the nearest cell than the top of the door between the exercising yard and the cell. The plan of building, therefore, does not afford great fa-

cilities for inspection, but on the contrary, makes inspection very difficult and expensive, both in regard to time and labor.

"There is a peculiarity in the construction not yet mentioned. Each cell is a water closet. From what may be seen of similar places, in hospitals, prisons, and steam-boats, we are apprehensive that this part of the design will fail. It will be very expensive in the construction, and probably will not answer a good purpose.

"It is proposed to accomplish the object by cast iron pipes, extending under the whole establishment, and communicating with every cell. These pipes are to be frequently filled with pure water, which may be drawn off, in the expectation that the filth will be removed in the current.

"Apartments have often been visited, in which similar designs have been adopted for the accomplishment of the same object, but the object was not gained. The air could, with the greatest difficulty, be inhaled by a person who came from the fresh air. It would be well to know, whether this peculiarity in the plan will answer the purpose in a few cells, before the expense is incurred of extending it to the whole establishment.

"The estimated expense of the whole establishment, when completed, on the original design, is *five hundred thousand dollars*; and when it is completed, it will accommodate only *two hundred and fifty prisoners*.

"The expense of the new prison in Connecticut, for the accommodation of *one hundred and thirty-six* prisoners, was estimated at *thirty thousand dollars*; and three fourths of the work has already been done within the estimate.

"The objections, then, to this plan of building are, the difficulty of preventing the prisoners from communicating with each other, either through the air chamber, or over the walls of the exercising yards; the impossibility of inspecting the conduct

of the prisoners in the cells, or in the exercising yards, either from the observatory in the centre of the large yard, or from the towers on the external wall; the difficulty of the keeper's knowing it in cases of sudden sickness and distress among the prisoners; the filthiness of making every cell a water closet; the difficulty of introducing labor, and of communicating instruction; and the expense."

"All these objections are against the plan of building, even if it be admitted that the principle of solitary confinement, day and night, is good. If it should be found from experience in Philadelphia, as it has been found by experience in Maine, and at Auburn, that the principle is not good, then the plan of building would be still more objectionable.

"If we understand the reason of the present state of this establishment, it is this: The legislature appointed a committee about eighteen months since to examine other prisons, for the purpose of ascertaining, among other things, whether the plan adopted in Philadelphia is good. This committee, consisting of Judge King and Doctor Wharton, visited some of the prisons in New-England and New-York, and reported against the new prison, so far as to prevent the legislature from making an appropriation in favor of it at the last session. The progress of the buildings, therefore, in the interior of the yard, is arrested, except so far as to complete the number of cells, (about one hundred) the foundation and walls of which had been already built. This is a sufficient number to use in the first experiment, to try the construction, and the principle of solitary confinement day and night.

"If it should be found that the construction and principle are not good, it would remain with the legislature to decide on what plan the other buildings should be erected.

"In view of the whole matter, the following remark may not be unimportant.

"The yard wall is the most lofty, extensive and secure in this country, with the exception, perhaps, of that at Pittsburg; and, therefore, whatever the design of building in the interior, this remains good.

"If the principle of solitary confinement day and night is admitted to be the only correct principle, the Philadelphia plan of building is not so favorable to a successful application of the principle, as the Auburn, Massachusetts, Connecticut, Sing-Sing, and Washington; because it is more difficult of inspection; more difficult to prevent evil communication; more difficult to know when the prisoners are in distress; more unfavorable to cleanliness; more difficult to communicate instruction, and vastly more expensive.

"If the principle of solitary confinement day and night, should be found by experience in Philadelphia, as it has been found in Maine, and at Auburn, not good, then the Philadelphia plan of building would not answer the purpose, and the other would be altogether inconvenient for the introduction of productive labor.

"So much time and expense are necessary in constructing the building on the original plan, and comparatively so little on the Auburn plan, and it is so uncertain whether the first will answer the purpose, either in principle or construction, that it is not to be lamented that the legislature made no appropriation at the last session, for the completion of the building on the original plan. It is now a favorable time, and there is a convenient location within the yard to erect a building speedily, at a moderate expense, near the north wall, and parallel with it, containing as many cells as may be necessary, on a plan which will answer the best purpose, on either the principle of solitary confinement day and night, or solitary confinement at night, with productive labor. If the legislature should make provision for this variation from the original design, the unutterable abominations which are known to exist in Wal-

nut-street, and the great annual expense, might be sooner prevented.

“This is a question deeply interesting to the whole community; and no personal gratification, or previous bias, or personal friendship, ought to prevent any man from giving all the facts in relation to the case, a candid consideration, and the results, a decided and temperate and open declaration.”

Thus much for the opinions and remarks of the Board of Managers of the Boston Prison Discipline Society.

There are some other objections to the plan of the Philadelphia prison than those above noticed, which the public ought to understand, and some of those hinted at should be more fully stated.

It appears that the yard contains about twelve acres of ground, on one side of which is the front building, and through the basement story of which, is an arched way, large enough for a team to pass, and, of course, to be secured by a heavy and strong gate, the whole building being within the outer walls. This building is designed, not only to contain the family of the first officer of the institution, whose rooms are lighted through grates of massive iron bars, but also to contain the hospital of the sick, on one side of the keeper's family, and on the other, the female convicts; while the basement story is to be occupied as cooking, storage, and washing departments for the prison; and the best rear-yards, v. and z., must, of necessity, be set apart for the use of those departments, leaving little or no accommodation of that sort for the keeper's family.

The usual and most convenient approach to and egress from the family rooms of the keeper, is through a narrow, inconvenient, winding stair-way, leading from the arched way to those rooms.

By these arrangements, the family of the keeper or warden, (or by whatever name he may be called) is literally subjected to imprisonment; surrounded by impervious walls and immovable grates, and can

only enjoy the unobstructed light of heaven, by groping their way through a passage, better fitted for an entrance into a subterranean catacomb than to the residence of a civilized and christian family. From beneath and in rear, the family is to be regaled with the fumes of the prison kitchen, rotting vegetables, or whatever stale or nauseous articles may, by carelessness or imposition, find their way to such establishments.

Yet all this is a trifling matter, when compared with the horrors of a hospital within the walls of a family dwelling, where disease and putrefaction spread pestilence through the very air they breathe, and where the shrieks of the insane and the groans of the dying, are mingled in horrid jargon with the shrill yells and curses of abandoned and profligate female convicts in adjacent apartments.

It will, certainly, require rare patriotism in a competent keeper, thus to expose his family, not only to pestilence and death, but to the most demoralizing associations, that he may employ his own time and talents in the service of his country.

It is, indeed, too much to expect; and yet, no other motive could induce a suitable officer to take that appointment under those circumstances; for it is a clear proposition, that whoever could be sordid enough to sacrifice the comfort, health, and moral safety of his family, for pecuniary emolument, however liberal, would, at least, as readily sacrifice the interests of the institution and public, to private speculation.

The keeper of a penitentiary must expect to give himself up entirely, and exert his best energies, in the discharge of his official duties, and must expose himself, personally, to unpleasant associations and considerable hazard, for which he ought to be liberally rewarded; but he ought, at least, to be allowed the privilege, as well as the means, of providing a safe, comfortable, and respectable abode for his wife and children, free from the physical and moral con-

amination of a prison. It is, therefore, submitted with confidence, that no gentleman of requisite talents and intelligence, of correct views and feelings, and proper elevation of character, will accept that office, provided he has a family; although the government of Pennsylvania may, perhaps, avail itself of the talents and services of some philanthropic bachelor.

There are many matters of detail, which, in the course of business, will be found, in the aggregate, of serious moment, although it is difficult to describe them, and would occupy too much space, and too far extend these remarks; but some of them should be noticed. All the food of the prisoners must be carried, three times a day, from the kitchen on one side of the 12 acre lot, to the centre; and from thence, the carriers are to diverge off in seven different directions, and travel down the passages to the extremes, unfasten the small windows, put the food through them into the cells, take out the dishes previously left, and fasten up each window. Allowing one man to do this service for each block, how long would it take him thus to distribute the food, collect and return to the kitchen all the empty dishes, and how many times, in the business of each meal, would he need to travel the whole extent of these passages?

In these avenues, fragments of meat and vegetables will be dropped, soup will be spilled; and to preserve health, they will need cleansing after every meal, especially in warm weather. The distribution of food in this way must be very unequal, compared with eating at a common table, as at Auburn.

An *equal* division of rations is an extremely *unequal* one, in reference to the various appetites and necessities of the convicts; and to adapt each single ration to the particular individuals, would be difficult, if not impossible. All this menial service will, of course, be performed, not by convicts, but by the hired servants of the kitchen; and what will pre-

vent them from communicating with the convicts in the cells?

If the assistant keepers are required to watch the servants, and follow them back and forth, (a service not likely to be very scrupulously performed) the waiters still could find means to slip in tobacco, spirits, letters, &c. from convicts' friends, and associates outside, who would readily discover and apply means of successful bribery to these prison servants.

Convicts clothes must be frequently changed, and probably passed through the feeding windows; this also will afford the means of furnishing forbidden articles.

To shave the convicts, a keeper must take a barber from the open yard into the exercising yard, and thence into each cell; and all these treble doors to each cell must be unfastened and fastened every time the convict is approached, to allow him exercise, to be examined by the physician, to take him to the hospital, and for any other similar purpose.

Prudence would frequently require two or more persons to enter a single cell, and always in the night time, in cases of emergency.

Among prisoners, many of whom are always of dissipated habits, nothing is more common than sudden sickness from epileptic and other fits, bursting of blood vessels, cramps, palsies, &c. Such cases of distress cannot be discovered but by mere chance, by almost a miracle, before it might be too late.

And if discovered, whether in the day or night times, in sunshine or storms, must be brought from the cells through all those doors, and open yards, and avenues, and passages, to the hospital in the keeper's building. Suppose some unfortunate invalid should suddenly die in a fit, or from other cause, for want of timely notice and relief, what excruciating sufferings would such a calamity occasion those generous and kind-hearted men, whose feelings revolt at the idea of corporal punishment, however

much deserved, salutary or trifling, if inflicted on a state criminal.

The quantity of hot and cold air, as well as of water that each convict may use, is to be regulated by himself. In cold weather, and being idle, he will keep his cell too hot for health, and will not be apt to attend much to ventilation; if he does, he will most likely take all the hot air he can procure, and counteract it by a profusion of cold air from without.

Should many pursue this course, the general fund of heat in the air chambers, will be wasted, which will compel others to stop their cold air entirely, and prevent ventilation altogether; and then, perhaps, suffer with cold as well as those who may have exhausted the heat; and while many from constitution, health, or age, will be less able to bear the cold than others. In the same way, a few convicts may keep their pipes of water constantly running, and waste the fountain.

Without going further into particulars on this point, it is a sufficient objection, that the convicts have any power or control over the safety and comfort of the rest, even though it may affect themselves; for there will always be some who will exercise such power for mischievous purposes.

If these extensive air chambers should answer the designed purpose, and yet any accident should happen in cold weather, what could be done with the convicts during the time of repairs?

It is understood that stripes are not to be tolerated under any circumstances, and that diet is to be the principal, if not only means, of enforcing discipline; or, in other words, the convicts are, from motives of humanity, to be starved into submission.

If some worthless, brutish vagabond, (and there will be many such) should refuse to keep clean his person or his cell, sink into a listless, lethargic state of mind, and lie contented in filth, he must be *starved* into cleanliness. If one of the grave governors, when opening the cell windows for purposes of ad-

vice or inspection, should receive a blow, or the contents of a *wash-bowl* in his face—poor fellow! he would say, you shall be deprived of your regular meals; you must be *starved* for this!

If, in a fit of passion, he breaks his dishes, tears to pieces his clothes, cries murder, or, in yells, utters curses and blasphemies, he must be subdued by a systematic and regular course of *starvation*!

If he should make an attack on a keeper, when giving him a morning airing, he must forthwith be put up again for starving; when a half dozen strokes of a cat on his bare back, without in the slightest degree breaking the skin, or drawing blood, would reduce the wretch to humble submission, and probably prevent a recurrence of such conduct; yet it would be intolerable cruelty, barbarism, too horrid to be endured, repugnant to the spirit of the age, and the mild principles of our government.

But not so with the slow torture of *starvation*, after a raving demoniac convict has spent the force of his rage upon the object of his hatred. He may be doomed to pinching hunger, till the skin cleaves to his bones, his eyes may sink back into their sockets, his limbs become paralyzed, and tongue too feeble to utter the curses he feels; and his haggard countenance and tottering frame indicate a ruined constitution, or some fatal disease that is to terminate his life. All this, humanity will sanction, the spirit of the age and the mild principles of our government approve. Is it possible, that the departed spirit of the immortal Penn can look down with complacency upon a system like this? It is astonishing to observe into what inconsistencies, prejudices will drive good men; and into none more glaring than in regard to punishing criminals.

It is not unfrequently the case in prisons, where labor is followed, that a convict, for an offence, when half a dozen lashes would send him penitent and humble to his work, is put into a loathsome dungeon, an iron collar fastened from his neck to the wall,

huge shackles put on his legs, and then supplied with a scanty pittance of bread and water. There certainly would be some difficulty in proving, by abstract reasoning, or by philosophical principles, that it is so *infinitely* worse to inflict pain upon a person's back, than upon his neck or legs, or even that more nameless part which suffers from hunger.

But it is said that punishment by stripes is liable to abuse. This is true; and it is as true, that the other modes of punishment are also equally liable to abuse. When this subject shall be examined, free from the improper influence of preconceived notions, candor will pronounce that punishment to be the most humane, wise and just, which will best correct and reform the transgressor, with the least suffering and loss of time, as it respects himself, and the most immediate and salutary terror to others; whether that punishment be inflicted by stripes, chains, dungeous, or starvation; and experience, uninfluenced by prejudice, will soon make a proper choice.

Bold as the remark may appear to some, yet, upon mature reflection, it is deliberately made and believed, that there are individual convicts now in this prison, who have suffered more from a single instance of dungeon, chain and diet punishment, when some of them were in the New-York prison, and others in that in Walnut-street, than to have endured the aggregate of all the punishment inflicted upon five hundred convicts in the Auburn prison for three months; and for the correctness of this, an appeal is made, with some confidence, to two of the worthy gentlemen who are commissioners for building the Philadelphia prison, and who have examined the Auburn penitentiary.

With the benefit of inspecting avenues surrounding all the shops, where the unseen eye of a keeper can observe every motion of the convicts, and with other means of inspection, and where none but vigilant and discreet assistant keepers are employed,

punishment at the Auburn prison has become of rare occurrence ; the certainty and promptitude of its infliction almost destroys its necessity.

Desirous of making some observations on the expense and reformatory tendency of the two prisons, and not wishing to extend these remarks to a tiresome length, no more will be said at this time upon the matters above noticed.

First : Of expense. Between five and six hundred convicts will hereafter be supported at the Auburn prison, without any public expense, except the use of buildings and repairs.

It is proposed (as was stated by one of the commissioners above alluded to) that the officers, and their salaries, at the Philadelphia prison, be as follows :

Five inspectors, without compensation.

Warden, salary,	\$2000 00
Agent, "	1500 00
Clerk, "	1000 00
Treasurer, "	500 00
Matron, "	200 00
Physician, "	500 00
7 assist. keepers at \$700 each,	4900 00
4 cooks, at \$200,	800 00
4 washers, "	800 00

Suppose convicts' clothing and bedding (all of which is to be purchased ready made) to cost \$20 annually per man ; 250 convicts would amount to \$5000.

The provisions, at an allowance of 8 cents for each man, per day, would amount annually to \$7300.

Add to this, say for fuel, lights, stationary, kitchen and cell furniture, soap, combs, razors, hospital stores, and other charges and expenses not stated, \$10 per man, would amount annually to \$2500.

Amounting, in the whole, to \$25,000, or \$100 for each convict.

These estimates may not prove specifically correct ; but it is believed that the total expense is not

stated too high. At this rate, the expense of supporting the convicts, now imprisoned in Philadelphia and Pittsburg, would not vary much from \$100,000 annually, besides the interest of one million of dollars to be expended for buildings; and the friends of this system cannot hope, that its reformatory influence will more than balance the increase of crime from the increase of population, in that great and growing state.

Secondly : Of reformatory tendency.

It is believed, the contrast between the two prisons will prove equally striking on this subject, as on that of expense.

For facts in relation to reformed convicts of the Auburn prison, reference is made to another article in this report, and also to one on the effects of unremitting solitude, as formerly practised in this prison.

In addition to those articles, some general remarks must suffice.

It is only the juvenile class of convicts from which any great hopes of reformation can, with prudence, be entertained; and such few others as have fallen victims to the arts and designs of practised rogues, rather than taken the lead in crime; together, perhaps, with some others, where misfortune and strong temptation have combined to overcome their moral sense; nor can there be much hope of any of these even, unless free from established habits of intemperance.

Extravagant, indeed, must be the expectation, under any system, of reforming, to any great extent, habitual drunkards, or professional villains, of middle age, though instances may occur.

Now let us look for a moment at the probable comparative effects of the Philadelphia and Auburn systems, without any reference to what experience has proved in favor of the latter.

To make the matter perfectly simple and palpable, let us take an individual from the first mention-

ed class, and follow him from his first confinement, until his release, through a servitude under each system, and then see in which case he is most likely to live a reformed life.

Suppose, then, the case of a young man, who has grown up in ignorance ; destitute of any useful friends ; not only without moral or religious culture, but under the influence of bad example and wicked company, till his perceptions, inclinations, and conduct shall be decidedly vicious.

He has no just notions of social, relative or religious obligations, commits crime, and is brought to the Auburn prison. He is carefully instructed in the plain and simple duties of a convict, and duly admonished of the consequences of disobedience ; and, perhaps, for the first time fully realizes that he must yield himself, unreservedly, to the will of others. Then, humble and sad, he is put to some useful trade, of which he becomes a ready learner ; is kept free from all possible moral contamination from his associates ; labors in silence through the day, and at night retires to solitary repose. During these alternate changes of rest and labor, which keep up a healthy action of mind and body, sustaining the strength and firmness of both, he learns submission, temperance, self-denial, sobriety, and industry, which will, of necessity, become so habitual, as must naturally have an influence on his future life and conduct. He is taught to read, and a sufficient knowledge of writing and arithmetic, to enable him to transact ordinary business. On the Sabbath, he attends divine service, hears a public discourse, which exhibits to his view the principles of our holy religion, which his rivetted attention enables him to carry in his mind, and ponder over in his cell, where no diversions can lessen the effect of serious impressions, and with no companion but his bible, which, like a faithful friend, reasons with him, " of righteousness, temperance, and a judgment to come."

The chaplain and keeper will, occasionally, visit him there ; the former, to apply, personally, and to illustrate more fully, those great moral and religious truths and obligations, which have been advanced in public service ; and the latter, to show an interest in his welfare, encourage him in well-doing, and to see that all reasonable wants are supplied.

After a series of years, according to the nature of his offence, this individual, after a long course of moral and religious instruction, under the most favorable circumstances for proving salutary, and after having obtained a decent education, acquired the most regular habits, and learned a mechanical trade, the exercise of which will ensure him a competency, and guard him against the temptations of want, goes forth again into the world.

Now take the same individual, and incarcerate him in a cell, if you please, for half the period, and there let him lie, like a beast in the stall, during the term of his sentence, without any knowledge of a trade, letters, morals, or religion ; where his constitution will become impaired, and his mind rendered more savage, if not destroyed ; his feelings more callous, his passions more inflamed, and his temper more implacable ; and he goes forth into society, feeling like an Ishmaelite, with " his hand against every man," and believing " the hand of every man to be against him." Let the unprejudiced judgment of candor decide, in which case the unfortunate individual will be most likely to become a wholesome member of society.

It would be found no very difficult task to trace out the origin of personal opinions in Pennsylvania, and elsewhere, in favor of the exclusive solitary confinement of state criminals : And if the friends of this cruel and inefficacious punishment, would subdue feelings highly excited, in support of a favorite theory, calmly investigate principles and facts ; examine the history of criminal punishments, and especially under the penitentiary system in this

country, it is believed they would discover, that their doctrine is supported as little by reason as experience; and that it has sprung up entirely from the failure of the old ruinous system of social punishment, always weakly and often corruptly executed. In the first place, too sanguine expectations were indulged by the founders of the penitentiary system, which, of itself, must have occasioned great disappointment.

The enormous evils of association among convicts, and laxity of discipline, were not foreseen, and when realized, were not corrected.

At length, the famous Walnut-street prison in Philadelphia, the state prison in the city of New-York, as well as others, became such distinguished seminaries of villany, that public feeling became sickened and alarmed.

The frequent reconviction of convicts; their abominable and unrestrained wickedness, whether in or out of the prison, in which subordinate officers themselves often participated, and the great public expense of these establishments, altogether presented so sad a picture, and such a wonderful contrast to the sanguine promises of their founders and friends, that nothing short of a tremendous reaction of public opinion could follow.

This, of course, hurried men into an opposite extreme, without allowing them to stop at a just medium between the two.

Exclusive solitary confinement, without labor, was then proclaimed as sufficient, not only to reform the subjects of it, but whose terrors would subdue the evil passions and practices of society at large, and create a sort of moral millenium. And it is somewhat singular, that those who had been the most keenly disappointed in their first experiment, became the most sanguine and extravagant supporters of the new doctrine.

The legislature of New-York ordered an experiment to be made, which, having been sufficiently

tried, (and another and better mode discovered) it is now abandoned, and that, too, no doubt, for ever.

In the experiment made at the Auburn prison, it has been fully established, that by the suitable construction of buildings, and the exercise of proper discipline, solitude and labor can be so united, that all the evils of the old system may be avoided, as well as those attending idle solitary confinement, and combine all the possible benefits of both.

It is this union of the solitary and labor systems of punishment, combining the benefits and excluding the evils of both, which was first discovered, and has been successfully applied, in the Auburn prison, that we so warmly advocate and earnestly desire may be made an universal model of imitation, as has already been done in Massachusetts, Connecticut, and by the general government.

Our feelings on this subject fully respond to those expressed by the British minister, Mr. Vaughan, who, after a critical examination of this institution, declared, in ardent language, that he hoped in God it would be made the model of imitation, not only for this country, but for all Europe.

If this union of the two systems had ever occurred to the friends of mild punishment in New-York and Pennsylvania, it is doubted whether the idea of exclusive solitude would have been suggested.

Humanity, not less than public economy, would have forbidden it.

The state of New-York, after realizing the folly of her former opinions, has discovered and applied the above remedy; and it now remains to be seen, whether or not the state of Pennsylvania will *condescend* to profit by her experience.

If the numerous and respectable friends of solitary confinement in that state, would halt in their career of reform, long enough to examine, personally, the Auburn system, it is confidently believed, that in spite of preconceived opinions, they would perceive and sanction its claim to universal support.

But most of those gentlemen seem impelled forward by the horrors of the Walnut-street prison, without looking to the right hand or to the left, determined not to stop short of the extreme point of unremitted and unrelenting solitude.

I shall conclude this article with the remarks of General La Fayette, who personally inspected the new prison in Philadelphia, when visiting that city.

His observations were made to an American gentleman when visiting this exalted statesman and philanthropist, after his return home from his late visit to this country, and are copied from a letter published in the National Gazette of November 11, 1826; the editor of which observes, in the same paper, that "the statements of General La Fayette respecting *solitary confinement* in penitentiaries, were expressed by him with equal emphasis when he was in this country."

The above mentioned gentleman, in his letter, says: "I had a great deal of interesting conversation on American topics with the General. He seemed to be particularly interested in the subject of the Pennsylvania penitentiary, and is, I find, very hostile to the system. 'The people of Pennsylvania think,' said he, 'that the system of solitary confinement is a new idea, a new discovery; not so: it is only the revival of the system of the Bastille. The state of Pennsylvania, which has given to the world an example of humanity, and whose code of philanthropy has been quoted and canvassed by all Europe, is now about to proclaim to the world the inefficacy of the system, and to revive and restore the cruel code of the most barbarous and unenlightened age.' The General then alluded to his sufferings during his own solitary confinement in Prussia, and then proceeded to say: 'I am told that they, (the convicts in the Philadelphia prison) are to be without the least employment, and are not to be allowed the use of books. Now I was not put into confinement as a thief, and I cannot with certainty speak as to the

effect this system will have on them. I was confined for my tendency to revolutionary principles; and during the whole time of my imprisonment, all my thoughts were directed to one single object, and my head full of plans for revolutionizing Europe. So I think it will be with the thief; and when he shall be restored to society, it will be with his head full of plans, concocted and devised during this singularly favorable opportunity. I hope my friends of Pennsylvania will consider the effect this system had upon the poor prisoners of the Bastile.

“ ‘I repaired to the scene,’ said he, ‘on the second day of the demolition, and found that all the prisoners had been deranged by their solitary confinement, except one. He had been a prisoner twenty-five years, and was led forth during the height of the tumultuous riot of the people, whilst engaged in tearing down the building. He looked around with amazement, for he had seen nobody for that space of time, and before night, he was so affected, that he became a confirmed maniac; from which situation he never was recovered.’ ”

State Commissioners' Report.

In 1824, Stephen Allen, Samuel M. Hopkins, and George Tibbits, Esquires, were appointed by the legislature to examine this and the New-York prisons, from whose report to the legislature in January, 1825, are taken the following extracts:

“ *Prison at Auburn.* This excellent prison is in the large and flourishing village of Auburn; in a healthy and fertile part of the state, and so far, it is eligibly located.

“ But it is not conveniently placed for transportation, as the Erie canal, which has been made since the prison was begun, passes it at the distance of seven miles. In common with the New-York prison, it is without the important advantage of a stone quarry, for the employment of the prisoners, which

we consider a very material circumstance, and which will be discussed in another part of this report.

“The assistant keepers are masters of the respective trades at which the convicts, of whom they have the care, are employed. Each of them is always with his men when they are at work, and he sees them taken into and from their cells at night and morning. He walks among them in the shop, with a stick or rattan in his hand; keeps them steady at their labor; preserves silence and order; and compels them to do their work faithfully and diligently. In all those cases where instant correction is necessary to enforce obedience, or prevent mischief, it is administered on the spot; but, in general, the power of suppressing the very beginning of disorder, prevents any disorder at all; and in point of fact, while the rod of correction in this prison is always at hand, its use is seldom resorted to. The presence of the rod, for the most part, saves the necessity of using it. In two weeks of our examination, we scarcely saw an example.

“The correct discipline observed in this prison, only requires to be seen to be duly appreciated. The orderly conduct of the prisoners while at labor; their meek countenances and sober demeanor; the apparent thankfulness with which they receive their coarse meals; and their quietness under the privations of the prison; all prove, that the discipline is complete and effective.

“The men upon whom the responsibility of the safe keeping of the convicts rests, ought to possess the authority to punish them, if they neglect or refuse to obey the laws of the establishment.

“For the proper exercise of this power, they are, and ought to be, amenable to the laws. But we understand it to be a principle of the common law of this state, as it certainly is of reason and common sense, that every keeper of a prison must have such power of personal correction.

“The condition of a prisoner, is that of personal restraint. As the prisoners are always the most numerous, and have, therefore, the advantage of physical force, they must take the mastery whenever they think expedient, if there is no power of punishment ; or when that power is fettered or imperfect, their submission will be proportionably incomplete.

“Upon this method of governing, our opinions are entirely decided and unanimous ; and we hesitate not to state to the legislature our settled conviction, that the government of felons in a prison must be absolute, and the control over them must be perfect. The principal keeper must be a man of firmness, discretion, and vigilance ; and he ought to be the responsible person in all matters relative to the conduct and safe keeping of the prisoners. Without this, there can be no discipline nor economy. Every consideration requires this ; the safety of the lives of the officers, and of the prisoners themselves, requires it. It is indispensable to economy, and to profitable labor ; and if there can be any hope of reformation, it must not be where the prisoner stands upon his rights, and exacts conditions ; but where he is brought to a sense of his degradation, and feels the sadness incident to dependence and servitude, and becomes willing to receive any indulgence as a boon, and instruction, advice, and admonition, as a favor.

“It is proper to remark, that we have been informed of complaints which had been made against the officers of the Auburn prison, of too great severity of discipline. Some of us took pains to investigate the grounds of those complaints, and sought interviews with some respectable persons who had supported them, and with some members of a grand jury of Cayuga county, before whom the subject had been brought. In one instance, a convict had called out to the prisoners in the mess-room to rise. He was instantly struck down by the keeper attending, and, we believe, struck after he was down. In no

case have the grand jury thought proper to interfere, though the subject has been more than once before them; and we believe that the corporal punishment now inflicted at the Auburn prison, is not more than is requisite to preserve proper obedience."

"That the Auburn prison, combining the construction of the prison with the discipline enforced in it, presents the following advantages:

"That the sentence of the law can be enforced with almost absolute certainty, since escapes must be nearly impossible, and conspiracy quite so; and an attempt at insurrection, therefore, hopeless.

"Consequently, that the prison is governed with great comparative safety to the lives, both of keepers and prisoners, which, in cases of insurrection, are necessarily in danger.

"The separate cells by night, and the silence preserved always, entirely prevent all contamination among the prisoners; thus, at once, is excluded the great question of the classification of convicts, which has so much engaged the attention of benevolent men in Europe and America.

"By this system, every prisoner forms a class by himself; and to all moral and social purposes, he is insulated.

"The novice in crime may work for years by the side of the most expert felon, without making any progress in the mysteries of criminality.

"The prisoners are compelled to work diligently and profitably, and are deterred from spoiling their work.

"That the sentence of the law may be thus certainly, safely, and economically executed, without leave asked of the prisoners, or favor gained from them; whence all the benefits of an unfettered execution of the laws.

"And we now add, as an important feature of this system, that if any human means can, as it were, enforce repentance and amendment, it is this.

"The entire separation from all criminal associations ; the sobriety of feeling consequent upon temperance and labor ; and most of all, the sadness of solitude, must frequently make serious impressions. We have seen manifest proofs of such impressions among the prisoners, and only wish there was reason to expect they would be permanent.

"From the observations already made, it has appeared, that with respect to the laboring prisoners, the discipline and government of the Auburn prison, with the exception of unremitted solitary confinement in a cell, unites most of the qualities which we have recommended in a state prison. Time and experience may suggest further improvements in matters of detail ; but we do not expect to see any thing more perfect than the general system of that prison, nor do we know what more can be reasonably looked for."

Prison Discipline Society, Boston.

A society, bearing the above title, which explains its object, has been formed by many of the most distinguished gentlemen in the state of Massachusetts.

The benevolent exertions of this society have already effected much good, and promise still greater benefits to mankind.

With a view to a full developement of the evils existing in the public prisons of this country, and to be instrumental in discovering and applying a remedy for those evils, one of the most intelligent and benevolent members of this society visited, and critically examined, all the penitentiaries, and many county gaols, in the Atlantic States.

From materials thus collected, the board of managers, at their annual meeting of the society, in June, 1826, made a report, the value of which may, in some measure, be inferred from the fact, that it has already passed through three editions of numerous copies.

It is thought that it may be useful to extract so much of this report, as will show the opinions of the board of managers in regard to the construction, discipline, and regulations of this prison, by which a remarkable coincidence of views and opinions will appear to have been entertained by that board and our state commissioners, in relation to this institution. The following are extracts from said report :

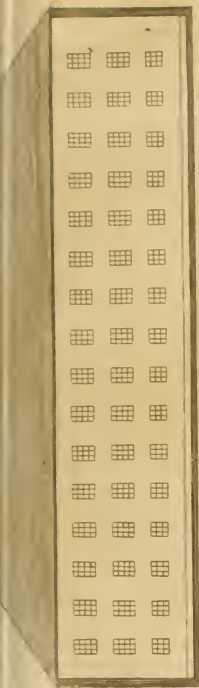
“ It has been represented in Europe, that the solitary cells in the prison at Auburn, New-York, are dark dungeons, such as that humanity would shudder to see persons confined in them.

“ This is an important mistake in point of fact. Out of five hundred and fifty-five cells, only a few are dark, and these are seldom used. All the others are lighted sufficiently to enable the convicts to read the small print in their bible, with which they are furnished by a law of the state.

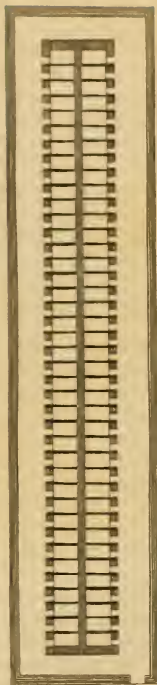
“ For a prison securing the important advantages required, we recommend the plan exhibited in this engraving. It represents a building designed to contain four hundred cells, on the plan of the north wing of the prison at Auburn, in the state of New-York. Retaining the same principle of building, it may be enlarged for a penitentiary, or diminished for a gaol.

“ The external wall, in the first figure, is two hundred and six feet long, forty-six feet wide, and three feet thick. In this wall are three rows of windows, which are four feet by six, except the lower row, which are four feet square. These windows are glazed, and secured by a strong grating of iron. They are sufficiently large and numerous to afford perfect ventilation, and light to the cells.

“ The ground view in the second figure exhibits the foundation of the cells, and the open area around them. The centre is a solid wall, two feet in thickness, on each side of which the cells are arranged.



External Wall



Ground view



Breast-work of Cells.

“ The walls between the cells are one foot in thickness ; those between the cells and the open area, which are broken by the doors, are two feet. The cells are seven feet long, seven feet high, and three and a half feet wide. The only opening from the cell, except the ventilator, is the door, in the upper end of which is an iron grate, about eighteen by twenty inches. The bars of this grate are round iron, three fourths of an inch in diameter, placed about two inches asunder, leaving orifices smaller than a man’s hand.

“ Through this grate, all the light, heat, and air, are admitted to the cells. The ventilator, which is about three inches in diameter, extends from the back of the cell to the roof of the building. The door of the cell, of which the grate is a part, closes on the inner edge of the wall, leaving a recess between the door and the outer edge of the wall, two feet deep. This recess, in front of each door, increases the difficulty of conversation between the prisoners ; prevents them from making signs to each other, or from seeing far to the right or left on the galleries ; and furnishes a convenient place for an officer of the prison to converse with the prisoner, without being seen or heard by those in the adjoining cells. The fastening of the door is by a strong latch, connected by a hook, with a bar of iron placed over it. The bar extends from a latch two feet horizontally to the outer edge of the wall ; thence at a right angle eighteen inches horizontally to the lock, which is beyond the reach of the prisoner, three and a half feet from the door. The area around the cells, which is ten feet wide, is open from the ground to the roof, in front of five stories of cells. Of this area, three feet adjoining the cells is occupied by the galleries. A convenient hospital may be formed in this building, by dispensing with the partition walls between four cells in the upper story.

“ The breast-work of cells, in the third figure, exhibits all the cells on either side of the centre wall ;

that is, half the cells in the building, together with the galleries and stair-cases. The advantages of this mode of building, (besides that of solitary confinement) are, its security and economy. The security is fourfold; for the prisoner must first escape from his cell; then avoid the sentinel in the open area, who has every advantage for seeing him; then force the external wall; and after all, he is in the yard. The security is such, that during two* years in which the men have been confined at night in these cells at Auburn, no breach has been made upon one of them.

“ The economy is great in regard to the space occupied, and also in heating, lighting, and guarding. Four hundred cells will cover only 206 by 46 feet of ground. At Auburn, five small stoves,† and six large, and twelve small lamps, placed in the open area in front of the cells, beyond the reach of the prisoners, afford heat and light for five hundred and fifty-five cells; and one sentinel is found sufficient to guard four hundred prisoners, and cut off communication between them. The space in front of the cells is a perfect sounding gallery, so that a sentinel in the open area on the ground, can hear a whisper from a distant cell in the upper story. This experiment has been tried again and again in the presence of the person furnishing this description. A building, in which these important advantages are secured with so much economy, is great gain.

“ At Auburn, stripes are almost the only mode of punishment; in Richmond, Baltimore, Philadelphia, New-York city, Charleston, and Concord, solitary confinement mostly, with a small allowance of bread and water; in Connecticut, stripes, chains, solitary confinement, and severe hunger.

* It is now *six* years since the convicts have been confined at night in these cells.

† This number of stoves was found insufficient, and seven more have been added, with stove-pipe encircling the whole block.

" If the efficacy of these different modes of punishment were to be judged of by the discipline of the respective institutions, punishment by stripes, as at Auburn, would be preferred. The difference in the order, industry, and subdued feelings, as exhibited by the prisoners, is greatly in favor of the prison at Auburn.

" This difference, however, is to be attributed, not so much to the mode of punishment, as to the separation of the convicts at night, and several other salutary regulations, which are not adopted elsewhere.

" Governor Clinton has formerly expressed his opinion of the importance of solitary confinement ; and in his late message to the legislature, he expresses an opinion concerning the institution in New-York city, for the reformation of juvenile delinquents, which is constructed on the plan of the building at Auburn, that it is probably the best prison in the world.

" At Auburn, we have a beautiful example of what may be done, by proper discipline, in a prison well constructed.

" It is not possible to describe the pleasure which we feel in contemplating this noble institution, after wading through the fraud, and material, and moral filth, of many prisons. We regard it as a model worthy of the world's imitation.

" The whole establishment, from the gate to the sewer, is a specimen of neatness. The unremitted industry, the entire subordination and subdued feeling of the convicts, have probably no parallel among an equal number of criminals.

" In their solitary cells they spend the night, with no other book but the bible ; and at sun-rise, they proceed, in military order, under the eye of their keeper, in solid columns, with the lock march, to their workshops ; thence, in the same order, at the hour of breakfast, to the common hall, where they partake of their wholesome and frugal meal in si-

lence. Not even a whisper is heard ; though the silence is such, that a whisper might be heard through the whole apartment.

“ From one end of the shops to the other, it is the testimony of many witnesses, that they have passed more than three hundred convicts, without seeing one leave his work, or turn his head to gaze at them. There is the most perfect attention to business from morning ’till night, interrupted only by the time necessary to eat, and never by the fact, that the whole body of prisoners have done their tasks, and the time is now their own, and they can do what they please.

“ At the close of the day, a little before sunset, the work is all laid aside at once, and the convicts return in military order to the solitary cells, where they partake of the frugal meal, which they were permitted to take from the kitchen, where it was furnished for them as they returned from the shops. After supper, they can, if they choose, read the Scriptures undisturbed, and then reflect in silence on the errors of their lives. They must not disturb their fellow prisoners by even a whisper. The feelings which the convicts exhibit to their religious teacher, as he passes from one cell to another, are generally subdued feelings.

“ Sometimes, however, a man is found who hardens his heart, and exhibits his obduracy even here ; but the cases are comparatively few. The want of decorum, of which the commissioners of the state of New-York complain, in their visit to the city prison, where they were met by the bold staring of the prisoners, after they left their work, to gaze at them, and by looks, whether in smiles or in frowns, which indicated an unsubdued and audacious spirit in the culprits. This is never seen at Auburn. The men attend to their business from the rising to the setting sun, and spend the night in solitude.

“ Under these circumstances, they are provided with the word of God ; and they also receive the undivided attention of a most wise and faithful reli-

gious teacher, who spends all his time in the prison, visiting the sick, teaching those who cannot read, preaching in the chapel on the Sabbath the unsearchable riches of Christ ; and afterwards in going from cell to cell, to administer the reproofs and consolations of religion to individuals. The influence of the chaplain, according to the testimony of all the officers, is most salutary and powerful ; and the various expressions of confidence and affection exhibited towards him by the convicts, is most cheering to himself.

“What, then, ought this institution to be that it is not ? And how widely different from that in Connecticut, which the commissioners in their last report say, “is all that it ought not to be, and nothing that it ought to be !” What could with propriety be done for criminals, which is not done at Auburn ? They are, from necessity, temperate and frugal in their diet ; they are busily employed in some useful business from morning ’till night ; they are kept in perfect subordination, and provided richly with the means of knowledge and of grace, which may make them wise to salvation.

“It is hardly necessary to add, that at Auburn, there is an exclusion of all positive evils of the old system, which arise from crowded night-rooms, evil communication, instruction in all the arts of pick-pockets, thieves, incendiaries, and counterfeiters.

“These great ends are gained, partly by discipline, and partly by construction. The peculiarities of the discipline are, that the men, by a military movement, are required to keep the same relative position ; as a general thing, they are placed back to face ; and they are forbidden all conversation with each other. The peculiarity in construction is seen in the engraving.

“With this plan of building, and the system of discipline and instruction introduced at Auburn, the great evils of the penitentiary system are remedied. Here, then, is exhibited what Europe and America

have been long waiting to see, a prison which may be made the model of imitation."

Extracts from Judge Walworth's charge to the jury, on the trial of an Assistant Keeper, at the Cayuga Oyer and Terminer, September, 1826, for whipping a Convict.

"In summing up the case to the jury, Judge Walworth commenced by remarking, that the case which they were about to decide was of the greatest importance; not, indeed, as it related to the individual accused, but from the effect which their decision might have upon one of the most important institutions in this country. And he regretted that the length of time already consumed in the trial, and the lateness of the hour, must, of necessity, confine the court to a few remarks only, and would not permit him to go so fully into the subject, as the nature and extent of the questions involved in this controversy actually demanded. That the questions which had been discussed before the court and jury, as well by the counsel for the prosecution as by the counsel on the part of the defendant, deeply affected the whole penitentiary system.

"The Judge then took a general view of the penitentiary system of this state, and of the necessity of rigid prison discipline for the reformation of offenders, or to restrain the commission of crime.

"He observed, that imprisonment in the penitentiary, or state prison, had been adopted in lieu of that sanguinary mode of punishment, which was derived from our English ancestors, and which was still considered unavoidable by most civilized nations. That by the laws of this state, for many years after the revolution, all the crimes now punishable with imprisonment for life, and many which are now punished only by imprisonment for a term of years, were punished with death for the first offence.

“ All other felonies above the degree of petit larceny, were, on a first conviction, to be punished by fine, imprisonment, whipping, or other corporeal punishment, and with death for the second offence. That the effect of this system was, that a very great proportion of the guilty escaped all punishment whatever.

“ It was found, that jurors would not convict on the ordinary evidences of guilt, or where they could find the slightest excuse for an acquittal. That even the judges, whose feelings revolted against the sanguinary code of laws, which they were compelled to administer, constantly sought some excuse, from defect of form or otherwise, to save the life of the prisoner. And under such circumstances, if the law and the evidence were so perfectly clear, that neither court nor jury could prevent a conviction, and when the dreadful sentence of death had been pronounced against the guilty, it was still found that the feelings of the community would not suffer it to be executed: And there being no other mode of punishment devised, an executive pardon set the offender again at large, to renew his depredations upon society. That hence it was, that crimes continued to multiply, and offenders, so far from being restrained by the terror of capital punishment, were only the more encouraged to persevere in their villanies, from the well-founded belief, that the nature of the threatened punishment was such, that there was little or no danger that it ever would be executed.

“ That such was our situation about thirty years ago, when that portion of the members of the legislature, who believed that society had a right to resort to any means which were necessary to protect itself against the wickedness and depravity of its worthless members, but whose judgment condemned, and whose feelings revolted, against the ineffectual and bloody code of laws which then existed, united with those who doubted the right to inflict capital punishment in any case; and adopted the

penitentiary system, which had ever since been continued in this state. That a general prison for the state was then directed to be built; and those offenders, who were before punishable with death, with few exceptions, were doomed to imprisonment for life; and other felonies, for the first offence, were punished by imprisonment therein for a term of years. That for a short time after the erection of the first prison, it seemed to have the desired effect; it was confidently believed, that the hopes of the friends of humanity were about to be realized, and that capital punishments might be dispensed with in all cases short of murder. But it was soon found, that this new mode of punishment had lost all its terrors; that it neither restrained the commission of crime, or afforded any adequate punishment for the guilty; and that the number of the convicts, and the expenses of the institution, were rapidly and fearfully increasing.

“The vile and hardened offender there found himself surrounded by most of the comforts and enjoyments which he possessed while at large, and that his daily task of labor was even less than that of most of our enterprising mechanics and farmers; and relieved from all the cares of providing for himself or his family, and supported by the hard earnings of the virtuous part of community, the incorrigible felon had full leisure to concert, with his companions in infamy, new schemes of mischief, or still further to corrupt the minds of those who were not so completely hardened in guilt. That the expiration of sentences, and the necessity of exercising the pardoning power to make room for new convicts, daily turned loose upon society a gang of hardened villains, properly instructed, and fully qualified to become master spirits in iniquity: And it was even ascertained, that crimes were sometimes committed for the express purpose of enabling the offender to get back to the state prison, that he might there enjoy the comforts of a home, and the society of his

old companions in vice and infamy. That such was the penitentiary system, until a very few years since. The once ardent hopes of the friends of the system had nearly failed; and even those to whose feelings the idea of capital punishment was the most revolting, feared we should again be compelled to resort to the bloody code, when the present system of prison discipline, which had been gradually improving under the authority of the legislature, was fully adopted by the inspectors of the Auburn state prison.

“His honor remarked, that confinement with labor merely, had no terrors for the guilty. That the labor which the human body was capable of performing, without endangering its health, was but little more than many of the virtuous laboring class of community daily and voluntarily performed for the support and maintenance of their families. That to produce reformation in the guilty, or to restrain the vicious from the perpetration of crime by the terrors of punishment, it was absolutely necessary that the convict should feel his degraded situation, should feel that he was actually doing penance for his wilful violation of the laws of his country. That he must, in his own person, be made to feel the difference which should exist between the situation of the upright and honest freeman, who labors for his daily bread, and the vile and degraded convict, who, by fraud or robbery, has deprived that honest freeman, or his family, of the hard earned rewards of his industry. That mistaken or misapplied sympathy for such offenders, was injustice to the virtuous part of community. That the system of discipline adopted by the inspectors of the prison, under the sanction of the laws, was well calculated to have the desired effect of reforming the less vicious offenders, and of deterring others from the commission of crime, by the severity of punishment inflicted, and that, too, in the best possible way. A mode of punishment, where comparatively little bodily suffering is felt, and the greatest severity of the punishment is in-

flicted upon the culprit, through the medium of the mind. That it was, however, through terror of bodily suffering alone, that the proper effect upon the mind of the convict was produced ; and thence the necessity of a rigid enforcement of the prison discipline upon every convict, by the actual infliction of bodily suffering, if he would not otherwise submit to the rules.

“ That it was impossible for the legislature to foresee every case which might arise in the government of such a prison. The punishment was to be inflicted on men who had already become expert in evading the laws of society. They would soon find means to evade any general provisions enacted by the legislature for their government while in prison ; and it was for that reason the legislature had delegated to a board of inspectors, in the vicinity of the prison, the power of making such regulations as, from time to time, they might find necessary. That the rules of the prison, which had been referred to by the witness, had undoubtedly been adopted by the inspectors, under that authority. That these regulations, if not repugnant to the constitution, or laws of the state, had the binding force of a statute ; and neither the court or jury had any right to judge of their necessity or their expediency ; and the assistant keeper, under his oath of office, was bound to carry them into effect. But, the Judge observed, even the regulations made by the inspectors must be general, and much discretionary power must still be vested in the superintendent and the assistant keepers, who had the direct and immediate charge of the prisoners. Cases must and would constantly occur, which did not come within the letter of any written law or regulation ; and where it might be necessary and proper to enforce obedience on the spot, in order to carry into effect the sentence of the law, and the general principles of the system. But notwithstanding these powers were necessary, and although the welfare of the state, the peace and happiness of

society, and the hopes of the friends of our present mild code of criminal law, all depended upon the success of the present system of discipline, as adopted in the Auburn state prison, it did not follow that no abuse of power existed there. That the most perfect system must always be carried into effect by human agents ; and wherever there were such agents, the powers entrusted to them were liable to abuse ; and that the true question in the case was, whether the defendant had gone beyond his powers, or wilfully abused the trust confided to him, as an assistant keeper of that prison : And his Honor trusted, that whatever political or other excitements might have existed in this county, in relation to the government of this prison, either in favor of or against its officers, it would not enter into the deliberations of the jury in this case, or be found in any manner to have contaminated the sanctity of a court of justice. That in deciding the questions submitted to the jury, it was proper for them to take into consideration the obvious fact, that the convicts who were placed under the government of the keepers, were not an ordinary set of men ; and obedience to the rules of the prison could not reasonably be expected to be enforced upon them, in the same manner that obedience to laws is enforced upon others. That the idea of inducing such men to submit to the discipline of the prison, by any hopes of reward or immunity from punishment, must be abandoned as destructive of the whole system of prison discipline, as a punishment. That most of these men were desperadoes, who had refused to submit to the laws of society ; and many of them were only restrained by the fear of immediate death, from taking the lives of their keepers. That by their wilful misconduct and depravity, they had forfeited all rights, while there, but the rights of humanity. That the safety of the lives of the officers of the prison required, that the convicts should know they must submit to every regulation, and to every lawful command, of their keep-

ers, as to their masters ; and that they should, on no account whatsoever, be permitted to treat any of their keepers with the least disrespect, especially in the presence of other convicts. That the welfare of society, as well as the reformation of the convicts, required that they should feel that they were, in reality, the slaves of the state. That they should hold no communication of any kind with each other, either by word or action. That they should most deeply feel the awful degradation and misery, to which their vicious courses had reduced them. That they should feel that the ordinary sympathies of our nature could not be extended to them, consistently with the welfare of society, and that they must not be indulged. These were the laws of the prison, to which the convict must be made to submit, and implicitly to obey ; and this rigid system of discipline, the defendant, by his oath as keeper, was required, by all the means in his power, to enforce upon the convict.

“ That in the management of this prison, to carry into effect the sentence of the law, and the intentions of the legislature, it was necessary that perfect obedience, and submission to the rules of the prison, and the orders of the officers, should be enforced ; and if the defendant had done nothing more than was necessary for that purpose, he was not guilty of any offence, and it would be the duty of the jury to acquit him. That, on the contrary, if they were satisfied from the evidence, that he had been guilty of cruelty and oppression towards this convict, which was unnecessary and unjustifiable under all the circumstances of the case, it would then be their duty to find a verdict against him.”

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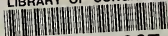
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